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AND A

RECORD OF THE EVENTS OF THE TIMES.

H. NILES, EDITOR.

THE PAST—THE PRESENT—FOR THE FUTURE.

FROM SEPTEMBER, 1830, TO MARCH, 1831—VOL. XXXIX.
OR, VOLUME III.—FOURTH SERIES.

Baltimore:
PRINTED BY THE EDITOR,
AT THE FRANKLIN PRESS, WATER-STREET, EAST OF SOUTH-STREET.

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INDEX

TO VOLUME XXXIX.

A.

Accidents, 94, 276
Adams, John, decease of 221
Adams, John Q. 93, 137, 158: elected to congress, 186
African colony—transportation 429: emigration to 174: cost of expeditions into Af. 140: Africans re-captured 9
Aged soldiers—in Tennessee 277
Alabama—insurrection feared 172: nomination of gen. Jackson 341: murder in 204: Mobile 156: internal improvements 317; elections 333
Albany—expense of transportations 5: old voyages to 10: rail road 94: population 277
Alfred—laws of 173
Algiers—fall of 18: departure of the dey: note to 21: capture 47, 49: tributes 56: press established 65: American frigate at 112: treasures 191: removal of the Turks 335: Constantine 191: affairs at 22, 23, 79, 143, 225: *See French affairs*
Alps; Napoleon's road 7
America, British notions of 203
American Farmer 91
American institute—premiums 162
Ancient clothing 205
Andover seminary—donations 221
Anti masonry 5, 58, 91, 276
Appleton Nathan 137, 171
Appointments 121, 188, 218, 234, 301, 332, 333
Army—employment of troops in the Cherokee country 264
Arnot Hugo—anecdote of 157
Arts—Spanish idea of 92
Asylum for the insane 157
Austria—conspiracy suppressed 403: arming, &c. 462: consul general 141
"Away with the Bourbons" 96

B.

Balkan—the, opening trade 105
Bl Hoon—ascention of 63
Baltimore—anniversary of the battle of 57: Crook's factory 205: celebration 125: election of mayor 138: inspections 121: printers' ceremonies 159: population 5, 428: vessels below 222: various 17, 61, 299, 333, 335, 427
Bank notes—burnt 221, 334
Bank U S. branch in Tennessee 333: do. in Mississippi 333: directors 332, 358: dividend 358: Gallatin's essay on 347: notice of 427: S. C. tax 460
Banishment—singular case of 140
"Banner"—of the Constitution, 1, 2
Barbour, James, 173, 334: his address 464: Phillip P. 121, 154, 169, 180, 332
Barney, Mrs. her Magazine, 222
Barry, W. T. letter of 4, 64,
Barradas, gen. notice of 7
Bartolozzi, Miss—debts of 204
Bartlett, Wm. donations of 221
Bassett, Willis H. 141
Bayard, James H. defended 333
Beet sugar 272
Belgium—accident in 20: affairs of 207, 321: battles 191, 461, 462: capitulation of Ghent 303: commotions 176, 192: congress 320, 335: independence of 195, 430: king's speech, do. ceased to reign 177: of a king for 359, 462: progress of revolution 121, 141, 152, 159, 175, 176, 191: provisional government 320
Benton Mr. 442
Berlin—philosophical congress at 134
Bernard gen. 170
Biddle Nicholas, 332, 340, 358
Bills of credit 230
Births, extraordinary 277
Blair, James, of S. C. 79
Blankets, manufacture of 6
Blast, an alarming one 158
Black sea, opened 105
Bonaparte, Napoleon, of his ashes 189, 225: a subject for the stage 223
Bonaparte Joseph 77, 94, 133, 277
Boston—public schools 5: celebration of the settlement of 63, 93: census 73: trade 121: commerce 91, 279, 357: Mr. Gorham 94: elections 137, 140, 171: old proceedings in favor of home industry 195: mechanics association 139
Bounty lands 428
Bowditch Nathaniel 203
Boyd, gen. John, dies 140
Brazil—treaty with the U. S. 33 to 37: bonds 205: French midshipmen at Rio 241

British affairs.

American flour 7, 55, 176, 175; average of wheat 7, duty 174, 192; accident 94; ambassadors 65, 94, 143, 430; army; mustachios &c. 20; recruited 430; Anglesea, lord lieut. 337
Burdett hissed 403; bank of England, undivided profits 190; Bangor bishop of, 20; British merchants and the Chinese 7; beer bill 19; Bedford election 94, 112; British West Indies—trade of 6, 20, 55, 109, 110, 319, 350, 351, 363, 390; slavery 19; population of Demerara 77; of W. I. 332; protection of slaves 403; rate of duties 460; British opinions 155; Brougham Mr. 65, 78, 106, 190, 337; address of lord B. 337
Cotton, price of 7, 19, 443; condition of England 7, 453; Coote Mr. house attacked 453; celebrations in 94, 223; crops 21, 55, 57; Cumberland, duke of 20; church, cost of 76; disturbances and burnings 192, 223, 319, 335, 336, 403, 425, 453, 454, 455, 461
Emigration 92, 460; England in old times 192
Forgery bill 20; Falcon, capture of pirates by 443; fruit market 20; Fitzclarence, appointment of 20; funds, depression in 190; fine for fishing 223
Gold, traffic in, issue of sovereigns 20; grief, specimen of 7; grain, demand for 21; price of 331
Hard times 7; Huskisson Mr. death, 174; Hunt, election of 430
Ireland notices of 7, 18, 19, 20, 21, 72; excesses in 112; distress of 455; cultivation of tobacco in 71; agitation in 223: proclamation 224; O'Connel's letter 224; great excitement 429, 455, call upon Yeomanry 456; agitation 461; late king p. m. examination 6; illegitimate son 6; notice of 20; interment of 7, 120; died intestate 20; memory forgotten 125
King William, notices of 7, 19, 20, 21 65, 124; illegitimate children 20, 322, 456; speech 49, 322; congratulates Louis P. 125; acknowledges French government 149; policy of 190, 319; popularity 190; proclamation 336; coronation fixed 337; satire on 431
London, fire in 112; mayor's dinner postponed 318; funeral of late mayor 403; Liverpool—election in 430
Manchester rail road 174, 177, 188, 201, 213, trade of 79; meeting in 111; ministry, supposed changes 190; change of 318; new ministry 318
Navy, stripes restricted in 430; instructions to officers 125; newspaper stamps, amount used 20; new invention 125; New South Wales, a governor of appointed 335
Parliament, to be prorogued 19; sale of seats 19; dissolution of 49; new members 94, 241; meeting of 125, 303; analysis of parties in 359; adjournment of 429; debate in 455; Peru, differences with 96; Peel sir Robert, 319; declines a peerage 337; prayer, form of 455
Queen Adelaide, 6, 7, 125, 190, 204
Regency bill, passed 335; reform, notices of 192, 335; rotten boroughs 337; rioters, conviction of 456; of whom comprised 460
Slavery, in British W. Indies 19; statistics, increase of Catholics 74; subscription for Paris wounded 112; stocks, 403; sugar duty 7; specie exportation of 174; Stanhope's calculator 359; Sussex, duke of 20, 335
Wilson sir Robert, restored to command 21; Wellington lord, disavowal of 74; dinner to Talleyrand 176; interview with Russian minister 190; sinecures of his family, 221; mobbed 303; and the new ministry 337; speech of 430

Breakwater in the Delaware 231
Brown, gen. 426: —— James 222: —— Mrs. 203
Brunswick—the duke of 174, 220

Butchery, horrid 172
Buxton manufactory 156
C.
Calhoun, J. C. vice-president 333 441, 447
Canada public lands 93: emigration to 156, 331: negro colony in 205
Canals—the Chesapeake and Delaware 156: Pennsylvania 7, 183: Hudson and Delaware 383: the Ohio 7, 218; Juniata and Union 140: Louisville and Portland 59, 334: Chesapeake and Ohio 218: Welland 218: the Morris 329
Cargo, valuable 205
Carroll, Charles, of C. 77
Carey, Matthew 4, 154
Carpenter, S. C. 6
Carpets, first used at N. Y. 10
Cass Jonathan dies 157
Castor oil, price of 1
Census of Philadelphia 157: R. Island, Conn. and Delaware 275: Albany, Michigan 277: N. York 277, 302: Virginia 302: Cincinnati 5: Balt. 5, 428
Charleston—elections 60, 138, 302: fever at 77, invitation to the president 222
Cherokees—arrest of Mr. Bogan 219: rights, &c. 19, 38, 99, 181: of Mr. Wirt, as counsel for 68, 69, 73, 81, to 86: U. S. troops in the nation 57, 77, 264: gold diggers 106, 154, 181: general council 197, 219: writ on Georgia 338: case of Tassel 353: judge Clayton's charge 99: D. Vann's letter 99
Cheverus, bishop 154
Cheves, Langdon 129
Christophe, madam 191
Chesnut tree, age of a 62
China. Territorial dispute at Canton 337: visited by a steam boat 337: proclamation 72: some description of 136: governor of Canton 62: export of specie 386
Chloride of lime 173
Cincinnati, pop. 5: fire at 241
"Circulation of values" 234
Clay, Henry, speech at Cincinnati 18, 32: Telegraph's notice of 275: nominated in Kentucky 302: in New York 303: in Connecticut 94: in Delaware 452: letter to a Richmond mechanic 428: at New Orleans 442: presented with a snuff box 222: the "Henry Clay" newspaper 62
Claims against France 106
Clergy, cost of 76, queer notions of 277
Coal, price, consumption, &c. 90: wagons 6
Coffin, sir Isaac 77
Coffee, stored &c. 358
Coins, curious 93
Colombia—affairs of 174, 175: Bolivar's proclamation 175: invitation to &c 224, 241: death 456
Columbia—the district: Georgetown pop. 5: dangerous blast in 107
Congress.
Adams, Mr. dies 278; Africans—170, 472; Alabama, 362, 380, 381, 382, 407, 439: Albemarle sound 231; aliens 285, Allegany river 407; Annapolis harbor 404, 407; Annual Register 443; appropriation bills 469, 470 472; Archer Mr. 281; Arkansas 403, 444; Armstrong, Geo. 306; army 280, 342, 361, 362, 382, 387, 388, 389, 405, 406; assay offices 344, 440
Back creek 342, 386, 404, 465; Baker Mr. 277, 278, 280, 305, 366; balances, list of 472; Baltimore harbor 386; Balthrop John 307 bank U. S. 282, 347, 405; to print report 404; Bernard gen. 342, 436, 437; Barringer Mr. 285; Barton Mr. 278, 305, 341, 436, 437; Benton Mr. 280, 359, 360, 330, 381, 386, 387, 404 405, 436, 437, 442, 444; Bibb Mr 405; Biddle Mr. 471; Bell Mr. 278, 281; Blakely 405, Blair Mr. 438; Bosworth Jacob 405; bounty warrants 405, 436; Brown Mr. 436; Buchanan Mr. 279, 284, 388; Burnett Mr. 305, 386, 436, 465
Canals, Louisville and Portland 278, 327, 343; Wabash 344; Illinois and Michigan 344, 360, 361, 407; Florida 381; Hudson and Delaware 394; Alexandria 407; Farmington 440; Chesapeake and Ohio 415; Cadets 362, 383, 437, Campbell Mr. 284; Cambreleng Mr. 383, 445, 469; Carson Mr. 344; Cass governor 446; Cathance river 362; census 286, 287, 387, 403; Chagrin river 408; Chambers Mr. 278, 360; charges on imposts, &c. 437; Charleston 381; chaplains 280, 281, 284; Chilton Mr. 283, 343, 344, 383, 387, 445, 446; Clayton Mr. 280, 387, 403, 436, 444; coins 278, 280, 360, 471, 472; Columbia river 381, 387; Coleman Mr. 439; committees of the senate 278, 280, 281, of the house 283, 285; compilation of documents 472; comptroller of the treasury 284; Condict Mr. 285, 507; consul's fees 305, 444; contempts of court 408, 445, 470; convention debates 404; Cooper Thomas 305; copyrights 361, 362, 403; Coosa and Cahawba rivers 327, 438; Coulter Mr. 285; Crockett Mr. 407; Cumberland road 285, 307, 360, 363, 381, 387, 388, 390, 404, 407, 437, 441, 445, 465; Cunningham's cradle, 408
Darden David 472; Davis Mr. W. R. 382, 388, 407; deaf and dumb 305; Decatur Susan 438, 446 447; defaulters 440; Denmark 344, 408, 447, 466; Detroit 389, 446; Dickerson Mr. 278, 280, 305, 327, 435, 465; diplomatic correspondence 308; District of Columbia, affairs of 343, 381, 382, 387, 388, 389, 436, 440, 444, 445, 447, 465, 472; district courts 440; disbursements 308; Documents—treasury 286: war 286, navy 289, post master general 295; Doddridge Mr. 283, 343, 363, 388, 446; Dorsey, Mr. 466; Draper Mr. 403; Drayton Mr. 362, 405, 437; drawbacks 327, 342, 468, 435, 444; Dudley Mr. 435; drugs and medicines 300; Duncan Mr. 307, 361, 440; Duponceau P. S. 284, duties of clerks 436; Dwight Mr. 308
Early history of America—388; education 305; Edwards Amos, relief of 472; election of president 308, 327, 360; Elk creek 388; Ellis Mr. 278, 386, 405, 444, 466; Elsworth Mr. 308, 405; Engineer and ord. dept. 381; Everett Edward 440, 446, 471; executive papers index to 327, 328, 446
Farrow and Harris; 285; Florida 360, 380, 281, 387, 439; Foot Mr. 281, 381, 465; Forsyth Mr. 277, 359; foreign tonnage 437, 471; fort Delaware 471, 472; fort Washington 386; fourth auditor's accounts 361; clerks' salary 405; Foulke John 382; Franklin institute 306; Frelinghuysen Mr. 444, 445; Frenchmen's bill 303, 408, 437, 439 440, 446, 447, 466, 467, 468, 469, 470; Georgetown 407; Georgia 359; Gorham Mr. 407; Grundy Mr 278, 280, 281, 405, 435, 436, 437; Gurley Mr. 284; Green Duff 408
Harbors and rivers 308, 382, 386, 440, 470. 471; Hall Mr. 361, 363, 383; Haynes Mr. 327, 362, 363; Hayne Mr. 284 435, 444 446, 466; Hazen general 445; Hemphill Mr. 307, 440, 445; hemp 440; Hendricks Mr. 278, 305, 306; 360, 387, 436; Hodges Mr. 388, 405, 406; Hoffman Mr. 282, 307, 398, 445; Holmes Mr. 277, 396; hospitals; 436; Howard Mr. 328, 345, 440; Hubbard Mr. 388, 389; Huntington Mr. 440; Hunt Mr. 439
Illinois, affairs of, 278, 280, 305, 306, 360, 385, 404, 408, 437, 444, 466, 471; imprisonment for debt 307; impeachment of judge Peck, progress of, 278, 279, 284, 300, 307, 324, 326, 327, 342, 343, 359, 360, 363, 381, 382, 383, 386, 387, 385, 389, 390, 403, 405. 467. 438; imports into Pittsburg &c. 469; imports and tonnage 437, 440, 444; importers 468, 472; Indian depredations 472; Indian department 359, 381, 382; Indian blankets 381, 444; Indiana, affairs of 387, 388, 390, 403, 404, 435, 436, 439; Indians, arrearages of 344; Kickapoos 359, 346; Cherokees 405; intercourse with, 444: extinguishment of titles 359, 362: Seneca annuity 328, 343, 360, 363, 435, 440: removal of 445, 471: insolvent debtors 342, 440, 472; inland transportation 390: internal improvement 347, 359, 382, 390 405, 407, 408, 440, 445, 466 470, 471, 472 invalid pensioners 343, 361, 363, 439, 447; iron reduction of duty 285 337, 339, 403, 471
Jennings Mr. 285; Johns Mr. 327; Johnson Mr. 278, 284, 285, 407; Johnston Mr. 405; judges term of service 405; judiciary act 388, 389, 405, 417, 419, 439, 440, 445, 446, 447, 468, 469, 472
Kane Mr. 278, 313, 436, 444, 466; Kaskaskia and Embarrass rivers 444; Kelly Bernard relief of 347; King Mr. 277, 279, 281, 387; King, Miles claims of 408, 446
Lake Ontario, survey of 306; lake Erie—light houses on 408; land offices 362, 382, 438, 439, 440; land frauds 344; land claims settlement of 388; land transportation, debenture on 390, 407; land, price of 359; Lawless Mr. testimony of 325, 326; Leavett Mr. 285; Lecompt Mr. 405, 445; Livingston Mr. 305, 306, 341, 381, 387, 436, 443; live oak 285, 366; Louisiana 386, 387, 405, 438: Loyall Mr. 439; Ludlow and Roberts' line 390, 405, 407
Mail road 388, 403; mails 383, 386, 446; Mallary Mr. 363, 396, 439; manufactures old reports 328, Mallary's 363, 396; Monell's 408; Martin Mr. remarks on indecorum of debate 382; surplus revenue 4 6; Maysville turnpike 436; 439; meeting of congress time of 253; McDuffie Mr. 306, 3 8. 386; McLean Mr. tribute to his memory 278; McLane Mr. correspondence 369, 370, 378, 379; McKinley Mr. 360, 436; Mercer Mr. 285, 343; Meredith Mr. 279, 342; messages—organization of house 277; president's annual, 253; executive business 278; exchange of 281; president 282; relative to judge Peck 278, 284; census 285; confidential, 305, do. 359; 4th auditor's accounts 351; marine corps, penitentiary 388; Indiana lands 435, 439; Portuguese seizure 447; Michigan land office 343, 440, 444, 446; midshipmen pay of 278; militia 444; Mitchell Mr. 407; military service 362; mileage and pay of members 327, 343, 344, 362. 363, 381, 382, 383, 386, 388. 390, 436; Mississippi 332, 386, 444; Missouri 362, 438; Monell Mr. anti-tariff report 363; resignation of 471; Monroe James 235, 342, 343, 344. 361, 382, 407, 408, 436, 438, 444
Naudain Mr. 380; national road 285, 381; naturalization laws 285, 362; naval hospitals 435, 445; navy—pay of officers 437, 444, 467; navy department 415; navy yard 327; navy pension fund 472; navy commissioners 360; New England asylum 438; New Hampshire Historical society 388; New York custom house 404, 407, 408; North Carolina 381, 389, 407, 437, Noble Mr. 343, 380, 387, 390, 403, 404; Nourse Joseph 359
Ocracock inlet 389, 417, 437; Ohio 284, 327, 381, 390. 436, 445, 465; Orders 277, 278 283, 285; Overton Mr. 307
Passamaquoddy river 444; passports and clearances 342, 408, 437; patents 362, 363, 383, 436, 437 pay of members 383 388, 390; Peck judge—see *impeachment.* Pettis Mr. 388; pensioners relief of 343. 363, 404, 447; petitions and memorials 278, 285, 305, 306, 307, 342, 381, 389, 407, 408, 439, 444, 445, 465, 466, 471, 472; pickled fish 342, 361; point of order 438; Poindexter Mr. 277, 437, 444; Polk Mr. 281, 405; Portsmouth N. H. salt duty 342; Portuguese captures 388, 406; port Clinton light house 404; ports of entry, new ones 472; post routes 306, 307; post office department—affairs of 280 383, 387, 403, 405, 406 435, 436. 437, 444. 445, 446, 472; Potter Mr. 407; Power Mr. 306; president's messages 255, 262, 278 282. 284, 285, 344, 363; presidential election—amendment to constitution 308, 326, 360; Presque Isle—beacon light, on 388; printer to congress 434. 465, 437, 408, 437; private land claims 360; public lands 305, 360, 384, 472; public roads 285. 306, 380, 381; public buildings 406, 472; purchasers of lands—relief of 344, 417, 472
Rail road, Baltimore and Ohio 279 327, 343, 344, 363, 440, 447; 465; Randolph John, salary of 363, 408, 437, 439, 440, 466 467. Randolph Mrs. relief of, 448 reduction of duties, attempts at 2 5 360, 362, 381, 404, 444; relief vessels 305, 344. 360, 381, 382, 383; religious worship, grant of hall for 382; reports of departments—treasury 283, 286, 338, 343, 443, 472; war, 286; navy, 289; post office 295; report of the house on silk flag 307; repeal 25th sec. judiciary act 388, 389, 412, 417; Malary's report 396; Monell's 408; navigation Ohio, 472; reports of the senate on gold coins 280; French claims 316; Reuchet Mr. 437; revolutionary pensioners 347 363, 393, 388, 438, 447; Richards on Mr. 306, 458; rivers White and St. Louis, improvement of 345; Robbins Mr. 278, 441; Robinson Mr. 341, 401,

466: Rockville road 362, 383: Row Matthias: relief of 343: rules, suspension of 277
Salt, reduction of duty &c. 342, 408, 428. 437. 438: resturation of duty 438, 439: salted fish, duty on 361: Sanford Mr. 278, 280, 305, 342: schooners additional to be built 341. 362, 382, 387, 403: secretary of war 359, 361. 387, 388, 389, 405, 439: secretary of the senate 278: secretary of the treasury 281, 308. 343, 363, 382, 388, 443, 444, 472: secretary of the navy 289, 361: Sill Mr. 388: silk culture 307, 440, 446, 472: silken flag, present of 284, 307: Smith gen. Samuel 253, 277, 342, 360, 381, 386, 404, 467: Speight Mr. 389, 407: speaker pro tem appointed 281, attendance of 245, 281, Spencer Mr. remarks of 279, 307: Sprague Mr. 326, 465: Stanberry Mr. salary Russian minister 363: state claims, adjustment of 360, 381: Storrs Henry R. 308, 344, 387: St. Vincent asylum, appropriation for 36: steam engines 328: sugar imported 283: on repeal of duty 284, 362, 363, 406: cost 327: sugar cane, cultivation of 388, 390: treasury report on 382 390: surplus revenue 280, 405. 406: surveys 285, 362: Sutherland Mr. 285, 471
Tariff and manufactures, debate on Howard's motion 345: extracts from old reports 346, 347, 440: Malary's report 363, 396: Monell's 363, 408: Taylor Mr. 281, 282: Tazewell Mr. 342, 404, 466, 467: Tennessee and Holston rivers 381, 387, 438: Test Mr. 343, 344, 388: Tilton Daniel, 387: town and village commons 360: treasury dept. annual report 308, on sugar 388: treasurer, allowance of credit, 408, 437: treaties 279, 335: Trezvant Mr. 362: Troup Mr. 278, 279, 360: Tucker Mr. 437: Tyler Mr. remarks of 467
United States' debtors 440
Van Buren Mr. 363, 369, 370, 378: Vance Mr. 361: Verplank Mr. 308, 344: vessels and rice, foreign duties on 381: vessels sunk, 278: vice president 279, 342, 387, 436, 437, 442, 443: vine and olive 343, 403, 408, 440: Virginia line 438
Wabash 360: survey of river 390, 407: Washington Mr. 362, 407: Wayne Mr. 282, 283, 388: Webster Mr. 387, 435, 437: West India trade, correspondence 343, 344 363. 369: West Point mil. school, reduction of cadets 362, 383, 437: Western armory 362, 472: Wheeling and Belmont bridge 283: White C. P. 283: 318, 471, 472: Whitlesey Mr. 307, 343, 388, 407, 446, 470: White Mr. of Tennessee 278, 280: White Mr. of Florida 439: Wickliffe Mr. 284 307, 343, 388, 390, 438: Williams Mr. 388: Wingate Mr. 361: Wise and Meredith 279, 327, 360, 403: Writs of error 443: wood, donation of 332: Woodbury, Mr. 277, 278, 386, 435, 436, 437, 444: woollen goods, motion to reduce duties 235
Yancey Mr. 327
Yeas and Nays.
In the senate—On the post office examination 281, 445: on re-chartering U. S. bank 405: on the bill providing relief vessels 428
In the house. On re-chartering the U. S. bank 283: on repealing duty on sugar 284: on reducing the duty on iron, cotton bagging, coarse wool, woollen goods &c. 285: on the time of meeting 308: on the term of service of U. S. judges 405: on the repeal of 25th sect. judiciary act 406: on considering Indian memorials 446: on the bill for the relief of revolutionary soldiers 468: on the bill making appropriations for rivers and harbors 471: on the bill for the relief of James Monroe 438: do for the relief of Mrs. Decatur 438, 447
Congress of philosophers 134
Connecticut—census 275: electioneering in 386, 428: Mr. Pitkin 428
Constitution, proposed amendment 357: *original* design of the constitution 263: C. Pinckney's propositions 75
Constitutional law—by Dane 165
Contempt of court 459
Continental money 10, 11
Convention, literary 141
Cooper's new novel 205
Cooper's locomotive engine 17
Copperas, a bed of 140
Copper mine 241
Cotton—price 2, 19, 55: various 185 250: exported from certain places 183: large cargo 333: crop of 212: at New Orleans 55. import into England 332: consumed at Providence 105: *seized* 222: Liverpool market 443: goods exported 141: of the *real* duty on it: value in England and the U. S. 2: canvass 406: improvement in spinning 139
Counterfeits, see *forgery.*
Crawford W. H. 76
Creighton, commodore 333
Crowninshield—see *Salem.*
Cross, Joseph, dies 94
Custom House regulations 101
Cuvier's dissections 205
D.
Dane's appendix 165
Deaf and dumb family 277
Dearborn's letter on silk 146
Debt of the U. S. 297
Debt, imprisonment for—abolished in Vermont 231: case in France 231: small debts 301
Declaration of Independence 145
D'Homergue on silk 56
Delaware—elections 105, 121, 138: census 275: Alabama resolutions and nom. of Mr. Clay 452: fort, destroyed 442
Demarara—slave population 76
Denmark—claims against 188: reported disturbance 175
Dinner party, a great one 204
Doctor of divinity 222
Dollar, value of the 2
Drayton, col. 4, 120, 125
Drought 221
Duels noticed 58, 141, 276
Duponceau, Mr. 146, 226
Duties returnable 341
E.
East Indies. American cottons exported to 141
Eaton, J. H. see *congress.* Letter to the gov. of Mass. 80, 427: on the removal of Indians 198: censuring cadets 232: to gov. Gilmer 264, 389: use of spirits in the army 341: returns to W. 173
Ecclesiastic statistics 76, 168
Eclipse 443
Editorial articles—to friends and readers 1, 312, 457; tax on cotton goods 1; rate of exchange 2; concerning Mr. McCord 2; about nullifiers and nullification 3; British royal matters 6; Balt. and Ohio rail road 17, 201; British West India trade 18, 111, 171, 297 331; on the price of grain and flour 18, 89, 331; relief of the Irish poor 18; on paying postage 73, 217; on the French revolution 33, 37, 57, 170, 219; on Messrs. Wirt and Gilmer's affair 58; notice of gen. Root 59; of the Charleston election 60; reply to the Georgia Journal 61; Cherokee question 73; H. L. Pinckney's oration, &c. 74; negro cloths 89; use of coal, &c. 89; compliment to the editor 89; servile copyings 90; national religions 91; southern Am. states 91; Mr. Webster 91; home market 105, 233; Mr. Madison's letter against nullification 125; same on protecting the home industry 201; on returning from N. Y. Am. Institute 137; account of 153; "balance of trade" 155; submission men 155; the age of revolutions 169; judge Barbour's valedictory 169; Mr. Wirt's oration 170; New York Herald 171; on attempts to manufacture in America 70 years ago, and general remarks 185; product, value and consumption of cotton 185, 250; Mr. Adams' election to congress 186; Mr. Randolph 186; federalists 201; a quandary 202; general essay on the cultivation of sugar 208; same on the circulation of values 217, 233, 234; newspapers 217; editor abused and persecuted 285; gives an account of himself and his *name*, with some general remarks 250; parties 252; duty on sugar and machinations against the tariff 273; exchange of newspapers 274; bank of the U. S. 274; errors in truth and the Buffalo Republican 297; public debt 297; letter from a friend in New Jersey 299; from one in N. Carolina 300; tariff, &c. and notice of Mr. Ritchie and his "practical man" 313, 353, 385, 425, 458; new subscribers 329; costs of transportations 329, 355; general essay on the abundance of specie and its *causes* 353; internal improvements 355, 425, 457; Messrs. Monell and Irwin's report 401; judiciary report 401; state rights 425; general Brown 426; Mr. Calhoun's pamphlet 441, 457; gov. Edwards' address on the public lands 441; death of J. Wilkinson, his usefulness 441; septennial number 457; in reply to the Hartford Times 458; armed interference 460; judge Smith 273; political jugglings 273
Egypt. The Cairo Gazette 172: manufactures 443
Elections—see the names of the states.
Elephant—memory of 173
European powers, forces of 321: stocks 241
Excavator, for canals, &c. 125
Exchange, the par of 2
Explosion, dreadful 107: of powder mills 141
Executions, *females* attending 200
Expenditures of the U. S. 301
F.
Fairlie, major, dies 158
Fernando Po 56
Fire-brick 1, 157
Fires—56, 76, 126, 157, 205, 241, 277, 384
Flint's review discontinued 157
Florida—sinking of land in 203: crops 126: Forbes' case 222: sugar in 272
Flour—exports of 7: Richmond 57: prices 18, 90: duties on 170: prospects concerning 53, 353: I. H. Powell's letter 353: see *editorial.*
Force's Register 157
Foreign ministers' rights 184
Forgery, 156: in Kentucky 302: dangerous cases 276
"Free trade," remarks on 6
French affairs.
Algiers, army at 7; capture of, and policy 18; amount of treasure, 21, 48, 159, 189; accounts from 21, 22, 23, 47, 48, 62, 79; convention 22; Tunis, 23; the Dey 49, 112; Jews 49; Turks ordered to quit 49; press established 65; conspiracy 112; attack expected 112; sickness 143; jurisdiction 176, 185; all quiet 461; admiral, 79; Americans in Paris, celebration by 23
Bordeaux, duke of, 65; Berry, duchess of 65; Bertrand gen. chief of Polyteenic school 78; Bourmont gen. differs with Duperre 65; reformed 65; reproached 79; rumor of 112; letter from 125. See *Algiers* above; Bourbon de, duke 125
Camel, naturalization of 20; charter 65, 113; preamble 114; commerce, appropriation for 189, 203; chamber of deputies, 7, 21; dissolution 38; re-assembling 40, committee of impeachment 95; manifesto, protest and proclamation 42, 43; crown diamonds withdrawn 43, Chateaubriand 115; Constant Benjamin, death of 402; Clausel gen. 65;
Despatches, seizure and restoration of 42; Duperre Admi 112; duke d'Angouleme, disbands the army 65; dutchess Angouleme arrival at Rambouillet 64; Douelle, anecdote of 206: duke de Chartres 65, 79; his letter to Lafayette 220
Elections, 20; alterations in mode of 38, 189, 319; education, attention to 223; English ambassador 65; excitement, continuance of 425; very great 429; exiles, remarks about 143, 175
Financial commission 65; Fitz James, duke of 95; French government, acknowledged by England 142; by Prussia 158; by the pope and Naples 189; by Russia 461, policy of 174; French politeness, anecdote of 206
Instances of patriotism and bravery, 65, 95
Jesuits, 79, 190
King, proclamations of 23, 63; dissolves the chamber 38; suspends liberty of the press 38, 41; flight of 40; arrival at Chartres 42; at Cherbourg 78; orders erection of a column 48 abdication of self and Louis Antoine 64

charters American vessels 64; conjectures where bound 64; departs from Rambouillet 64; last ordinance of 65; embarked 94; arrived 95; demands to be received as king 111; in England 159; journey of 168
Lafayette, appointment as commander in chief 43, 111; address of 43, 63; notice of 117, 121, 189; remarks of 77, 78, 111, 133, 225, 432, 433; letters from 78, 132, 133, 179, 220; attention to wounded 79; opinion of 95; holds the fate of France 107; dinners to 111, 116, 481; resigns 425, 465; Lafayette, G. W. actively engaged 65; liberal journals, presses seized 41; Lafitte, anecdote of 173 succeeded in the C. of D. 319; speech of 335; Lasteyrie, count 95
Marmont, appointed 41; interview with the deputies 44; displeases the Dauphin 44; Menais, abbe de la 243; ministers, report against the liberty of the press 38; charged with high treason 78; fled, 94; impeachment 189, 207; rumors 243; trial commenced 402; condemned to perpetual imprisonment 429
New ministers, 41, 43, 78; changes spoken of 176; appointments 319; minister of foreign affairs, speech of 189; Ney madame 189; National Guard, re-organization of 42; reviewed 125, 142; strength of 159; call on 189; behave firmly 429; Nemours duke de, 461; Nismes, 143, 159; Napoleon, as to the removal of his ashes 78; relative to 189, 223, 225; Neuville Hyde de, 125
Orleans duke of, appointed lieut. gen. 40; address of 43; ordinance of 63; speech of 64; receives friendly assurances 65; appointed king 77; reply to deputation on accepting oath of fidelity, &c. 77; assumes title of Philippe 1st 78; despatches special missions 111; proclamation 115; letter of 143, in favor of abolishing the punishment of death 206
Printers combination of 153; Philadelphia deputation received, 432; punishment of death—abolition of 111 189, 206, 223; Paris, battles in, 40, 44 rally of the people 65; no murders, &c. 111; disturbances, 142, 159; address to, of the city of London 159; Polignac rumor of 78; attempts escape 111; letter of 115; printing offices—certain ones closed 189
Revenue, 20; revolution, accounts of 33, 37, 40, 41, 44; supposed loss 64; Rouen, disturbances at 159; Rosaniel admiral 125; royalty—emblems of destroyed 111; rumors 95, 111, 112, 224
Soult gen. 335; project of a law, 402; Sarrurier minister to the U. S. 319; South America—recognised 158; stocks, value of 65, 79; Swiss guards—submission of 65; insulted 159; subscriptions for wounded 65, 112, 189
Te deum, celebrated 28; Talleyrand, speech of 223; treaty of Tilsit—secret article of 49 tri-colour, origin of 112; Toulon, Algerine treasure received at 65
Vassal & Co. failure of 189
U. S. claims 319
War expected 463; wounded, petition of 189
Fuller, the bank clerk 156
Fulton's heirs 94
Furs, great cargo of 56

G.

Gas, carbonic acid 173
Gallatin A. his essay 276, 347
Georgia—see *Cherokees, gold:* elections 171, 187, 202: judge Clayton's charge 99: proclamation 107: gov. Gilmer's correspondence, &c. 58, 69, 157, 263, 338: no poor in 156: Indian cases 219: Cherokees 229, 276: on surveys 241, 264: relative to U. S. troops 263: writ of error and proceedings 338: resolutions against the tariff 339: case of Tassels 353: land bill vs the gold diggers 453: Milledgeville Journal 4
Germany, generally agitated 191, 206, 225: emigrants 62: Bavaria silk 276
Giles W. B. dies 275
Globe, newspaper 276: extract from 460
Gloves—when first used at N. Y. 10
Gold—its relative value 2: coined 188: in Virginia 92: North Carolina 188, 221, 334: in Georgia 106, 157, 234: product of 442
Grapes in Nov. 241: cultivation of 241, 276
Gray, James, executed 222
Greece—aged family in 6: threatened revolt 20: affairs 191

H.

Hall, capt. *royal navy* 106
Hall, Dr. C. assault 219
Hammers, cast iron 6
Hamilton, A. and the American system 139
Hammond, Nicholas, dies 240
Hartford convention [imitation] 228: exposition of 432: "Times" 458
Harrison, gen. W. H. 148
Hay, George, dies 94
Herbart, the *man*-milliner 7
Hobart, bishop, dies 62
Hogs, number travelling 277
Holland—see *Belgium:* armistice 321
Home market and industry—see *editorial* and 57, 299, 300
Hopkinson, judge 140
Horse-power, its average 426
Hunt—rare sport 222
Hurricane, account of a 7
Hydrophobia, cases of 442

I.

Ignis Fatuus 173
Illinois—elections 5, 202, 333: the governor 55: United States lands in 140: public lands, gov. Edwards' essay 441: Mr. McLean dies 158: nomination of gen. Jackson 448: Vandalia 205
Indians and Indian affairs—see *Cherokees*: battles 335: of the Chickasaws, talk to, &c. 67: treaty with the Choctaws 17, 140, 182, 460: Four Legs dies 334: customs 167:—murder 172: notice of the Choctaws 17:—Menomonee and Winnebagoes 153
Indiana—elections 5, 55, 334: legislature 301
Indigo, price of 241
Internal improvement—*consistency* as to 426: various appropriations for 24: denounced 90: gen. Jackson's views 195: great benefit of 253: essay on 324: aid of the U. S. asked 427: see *editorial.*
Ingham, S. D. see *congress*: on gold and silver coins 2: letters and circulars of 141, 151, 197, 341
Italy—generally: agitations 206, 450: illness and death of the pope 335, 403, 430: Mount Ætna 62: king of Naples dies 321: arrival of priests at Rome 191: population of Rome 7: Sicilian consul ackn'd 173: Sardinia 112

J.

Jackson, president—various letters from 89, 105, 335: at Nashville 57: at Knoxville 89: invited to visit Charleston 222: his views of internal improvement 105: proposition to the Choctaws 19: talk to the Chickasaws 67: honors to 105, 121, 184: expected to decline a re-election 302: announced for re election 385: letter of certain members of the legislature of Pennsylvania to 452: nominated in Alabama 341, 449: in Illinois 448: message published in London 19
Jamestown weed 63
Java, insurrection in 7
Jefferson, Mr. concerning electioneering officers 274: his anticipations 96: on Indian rights 337: letter to a young friend 92: his memoirs 274
Jemison, doctor, dies 334
Jeopardy, illustrated 222
Johnson, judge, and John Taylor 98, 119, 132
Jubilee, Christian, ordered 140
Juggernaut 205
Jurors—qualification of 203, 219

K.

Kentucky—of the state of parties 5, 55: convention 90, 219, 302: Mr. Crittenden elected speaker 276: attempts to elect a senator 356. Lexington 93
Krudener, baron, letter from 103

L.

Law and law cases—dispute between N. Y. and N. J. 422: judge Clark's opinion 219: Cherokee case, Mr. W. Wirt's opinion 81: writ of error 353: constitutional, Dane's appendix 165: of sacrilege 166: Nicholson's heirs 302: qualification of jurors 203, 219: legal distinctions 172: lottery case 232: marriage promise 333: damages of stage proprietors 103, 331: United States *vs.* Benner 184: case of perjury 230: recaptured Africans 9: the retaining fee 205: case arising out of a commuted punishment 140: constitutionality of state laws 357: stage owners 103: rule of supreme court 275
Lead, reduced price of 73
Lee Francis, donation 157
Lewis, Mr. of Alabama 90
Live oak plantations 211, 435
Loadstone, discovery of 7
Locomotive engines 17, 299
Logwood blues 157
Longevity 7, 77, 93, 173, 205, 240
Lottery system 231, 232, 427
Louisiana—checks abducted from a bank 334: bank of 55: elections 386: health of N. Orleans 77, 93, 141, 172, 241: entertainments at 93: exports 183: the Red river 275, 277; see *sugar.*
Louis 14th—anecdote 204
Louisville canal 59, 334
Loyd, gen James, dies 93

M.

Madison, James, letters from 126, 188, 237: pamphlet of 263: noticed 200
Mahogany, first used at N. Y. 10
Mail robberies 156, 202, 302, 386: Wilson 167: Weirich 172
Mails, irregular 187, 302: New Orleans contract 188: contractors address to the president 184
Maine—elections 59, 73, 90, 234, 275
Manufactures—of blankets 6: castor oil 1: of silk 56, 146, 156, 226, 333: exports of 144: fire brick 1, 157: glass 1: at Pawtucket 9: at Clintonville 6: Warren factory 125: negro cloths 89: remarks 185: old views of 193 to 196: see *editorial*, &c. of the protection—Washington's opinions 17: at Charleston 1808—17: American Institute 153, 162
Marriage promises 333
Marshall, chief justice 10
Maryland—resolutions concerning the Susquehannah 421: Daniel Martin elected governor 380: elections 105, 107, 150: legislature meets 327: U. S. senator 427: bishop 156: Salisbury bank 205: Mr. Teackle 357, 425: Allegany county 94
Massachusetts—see *Boston.* Fire at Gloucester 141: claims on the U. S. 89, 428: proceedings on the Alabama nomination 449: elections 171, 187, 202: Mr. Richardson 94: cattle show 205: constitutional amendments 460
Masonry—disincorporated 188
McCord, Mr. of S. C. 2, 3,

McDuffie, Mr. his puzzle 4: and Georgia trio 76: re-elected 186: death of his lady 94
McKenney, col. 106
McLane, Louis 369, 378, 379, 390: see *West Indies.*
McLean, judge 154
McTavish, Mr. 103, 331
Mechanics association 159
Mexico—boundary 101: commotions, wars and battles 125, 206, 224, 241, 429: Texas 173, 221: gen. Guerrero 21: Victoria executed 224
Methodists—*first* preacher at N. Y. 10: Oneida conference 6: number 93
Michigan, population, &c. 277
Militia fines 63
Mint of the United States 188, 435
Ministers received at N. Y. 55
Missouri—state of parties 55, 276: Mr. Buckner, the new senator 302, 334: U. S. bank 333: population of St. Louis 157
Mississippi, the state—elections 55, 74, 275: Mr. Poindexter 126
Mississippi—the river 63, 427, 460
"Monkey system!" 4
Money restored 7
Moral power 218
Munich university 205
Monroe, James, 172, 174: death of his lady 94: meeting concerning him 333—see *congress.*
Murders 56, 140, 172, 201, 241
Mutiny—brig Orbit 140

N.

Nails, cut, first made 441: wrought do. 442
Navigation extraordinary 222
Navy and naval affairs—the Brandywine 157: Vincennes 72: Warren 19: the Constitution 57, 93: Grampus 9: Hudson 19: John Adams 221: Lexington 222: Guerriere 222: St. Louis 222: Mediterranean squadron 91: vessels fitting 204: commissioners 171, 302: officers deceased, &c. 428: midshipman Russell 94: com. Sinclair dies 442: capt. Shubrick 222
New Jersey—dispute with N. Y. 422: elections 137, 171, 241, 329: religious dispute in 334
New York (state)—dispute with N. Jersey 422: register in chancery 126: canal tolls 205: common schools 9, 10: floating steam mill 6: Mr. Granger nominated, &c. 5: Dr. Kirkpatrick 140: cattle sale at Harlam 157: Rochester 139, 334: elections 187, 202, 210, 427: resources of the state 358: expenditures 165: nomination of Mr. Root 19, 59, 105, 125: of Mr. Throop 58, 90: bishop chosen 158: presidential votes 62: Troy 331: Utica 77
New York, city—Mr. Bowne elected mayor 333: Am. ins. co. 205: the "Herald" 171; literary convention 141: Trinity cemetry 222: criminal and other statistics 219: population 277, 302: Clay meeting 276, 308: old soldiers in a procession 277: 1036 horses in do. 277: gamblers in 333: letters received at 334: old times at 10: revolution in France celebrated 219: females attacked 335: Am. Inst. 153, 162
New Hampshire—electioneering in 386, 427: the "Patriot" 156: elevation of Keene 93: venerable lady in 93: gen. Upham 156
Newspapers, in favor of 106
Niles, Hezekiah—and Georgia Journal 4: complimented 154: his address to the printers, &c. 159: see *editorial.*
North Carolina—dec. of independence, April 1776,—145: elections 275, 302: removal of negroes by the "Friends" in 333: gov. Iredell 76: Mr. Henry on nullification 424: hurricane off the coast 7: gold mines 221—see *gold;* population 276: proceedings on the tariff & internal improvements 424
Nourse, Joseph 358
Nullification—see *state rights*; Mr. Bronson's opinion 422: Mr. Cheves' letter 129: *county* nullification 105: judge Johnson and col. Taylor 98, 119, 132: Georgia land bill and gold diggers 453: meeting at Columbia 3: correspondence, remarks, &c. 59, 97, 98, 99: gov. Troup's letter 127; expounded 205: toasts 276: letter from Alabama 433: Mr. Clay's opinion of 18: gen. Sumpter's letter 303

O.

Ohio—judge Burnett 187: elections 138, 154, 171, 187, 212, 276: of a speaker 276: senator 335: the synod of 222: state debt 63: penitentiary 141: canal loan 140: population 276: see *canals.*
Ohio river, low 63
O'Neal Mr. a priest 7
Opium consumed 62
Oyster war 76: oysters 222

P.

Panther, a large one 240
Pascalis Dr. 171
Partridge, capt. 93
Peck, judge—see *congress* and 426
Pensioners, notice to 80: pensions and bounty lands 428
Pennsylvania—see *canals.* Nicholson's heirs 303: elections 121, 154, 276, 301, 333: coal fields 334: mount Carbon 6: Harrisburg 202: population 317: salt water in 241
Perjury, decision on 230
Peru—differences with England 96
Philadelphia—price of coal, &c. 5: prosperity 74: population 157: election of mayor 141
Philosophers, congress of 134
Pigeons 63
Pinckney Charles, in the federal convention 75
Pirates and piracy, various 276, 443
Pitcairn's island 221
Pittsburg, population 219: prosperity 276
Plutarch's lives, noticed 74
Politics for farmers 50, 57, 300
Poison, case of 172
Portugal—depredations on vessels of the U. S. see *congress* and 56, 143, 175: Spanish refugees 303: insurrection 174: doings of Miguel 206: the bank 321
Porter com. 57, 94
Postmaster's *polite* note 73: *defaulting* 156: Weirich 172
Poland—ferment 303: revolution 401, 430: statistics 431: Constantine 430
Printing press, anecdotes of a 204: discovery of printing 7
Protection of domestic industry—see *tariff*, &c. called for in old times 193
Prussia—relations with France 158: army 175: Prussian Poland 224
Public lands, essay concerning 441, sales of 340
Puppyism, case of 168
Puzzle, Mr. McDuffie's 4

Q.

Quakers, at king's levee 56
Qualification of a witness 103: do. of jurors 203, 219

R.

Raguet, Mr. reply to 1,
Rail road—the Baltimore and Ohio, 12, 17, 157, 299, 333; New Castle and Frenchtown 299, 333; Albany 94; to Washington 29 proposed 94; Liverpool 177, 188, 213, 29
Mr Cooper's locomotive engine 1.
Rain, quantity of 56
Randolph, John and his *mission*, 55, 203, in Russia 159, 186, 218; leaves Russia 171; not resigned 275; up for congress 442
Register of debates, 59
Removals—see *appointments*, and 62
Resignation, defined 204; revolutions, age of 169; revolutionary soldiers 80; papers 143
Reviews, discontinued 234—the Southern 423, 443
Rhode Island—Providence 5; Pawtucket 99; cotton consumed 105; elections 55; electioneering 381, 386; population 275
Rhind, Mr. 221, 277
Ritchie, Thomas 273, 313
Richmond—flour 7, 57
Robbery, see *mails*—by bees 157
Rockville road 299
Rocky mountains 173
Rotary engine 299
Rowan Mr. 241
Russia. Odessa, an Am. vessel arrives at 79; relations with France 142, 143, 190, 223, 321, 337; reported disturbances in 175; epedemic 321, 337; military preparations 321; affairs of Poland 430; canals in 205; evacuation of Turkey 112; servility in 125. See *Poland.*
Rush, Richard, an admirable letter from 261, view of the Br. ministry 384

S.

Salem murder, 7, 8, 125, 221
Salt-works, at Plumb island 56; of the duty on 428; water in Pa. 241
Saxony, revolution in 175
Seduction, cases of 94, 205
Servile copyings 90
Sheffey, Daniel, dies 334
Sheep sales of 91, 386; in England, France, Spain, &c. 155
Sherman, R. M. 494
Ships, large ones 62, 91; wrecked 127 whale 192
Siamese boys 463
Silk manufacture—see *manufactures.*
Simplon, the mountain 7
Silver, value 2; plenty 105, 353. reflux of 386
Skating party 463
Skeleton, living 94
Slave-ship captured 332
Slaves liberated 157; origin of the African trade 92
Smith, Judge of S. C. 233; 250, 273; his address 243
Smuggling, attempts at 7, 157
Snow storm 385
Stage coaches (liability) 103
Stanhope's calculator 359
State rights—see *nullification*, &c. opinion of the att. gen. of New York 422; N. York and N. Jersey 422; on a small scale 105; Maryland and Pensylvania 421; gov. Taylor and judge Johnson 98; remarks 425
State laws, constitutionality 357
Stevenson, Mr. speaker 250
Strawberries, late ripe 221
Southern convention, noticed 227
South Carolina. Convention meetings 3; at Abbeville 3; Charleston election 60; elections 276; extract from gov. Miller's speech 117, 119; gov. Hamilton 276; resolutions 305, 330; governor's declination 330; legislature 219, 234; case of commuted punishment 140; elections 154, 171 276; rail road 90; Columbia Times 59, 330; legislature adjourns 330; the bill concerning a convention 304; Henry L. Pinckney 60, 74, 75, 234
Spain—state of the country 20, 79, 125, 158, 191, 206, 224; the press 112; constitutionalists 143; circular 192; refugees 225, princess born 225 320; arrests and misery 462; Mina 303, 320
Specie, essay on the abundance of 353; reflux of 386
Spontaneous combustion 93
Sugar, cultivation of 202, 268; of the duties

on 145, 272, 273; made in France 272; cane in Maryland 202
Sumpter, general 303
Susquehannah bridge, rebuilt 74
Supreme court—see *Georgia.*
Sweden—jubilee in 140; relations with France 206; prince Gustavus 337
Switzerland—emigrants 62; population 92 disturbed 191, 206, 463; Basle 463; policy of 430, 460; remarks 384
Stephenson, Roland 463
Steam and steam boats. The Carroll 6; Peacock 77; Ohio 126; rate of speed 56; boats in New York 222; boilers burst 63, 77, 92; carriages 6, 90, 91: steam mill floating 6

T.

Tappan A. donation by 204
Tariff—see *editorial*, *manufactures*, and *congress*, &c. Georgia resolutions against 339; Mr. Mallary's report 396; Mr. Madison's old pamphlet 263; old fashioned doctrines 17, 193; the policy of 273
Tea cases, the last one 221
Tennessee—bank of the U. S. 333
Telegraph, U. S. extracts 97, 338
Telegraphs in France 92, 191
Test, Mr. accident to 276
Theatricals Irish 211
Thieves, uncommon 333
Time, apparent and true 426
Tippecanoe, (battle of) 157, 220
"Tit for tat," anti-masonic 173
Toasts, choice ones 55, 56, 173
Tobacco, Irish 71
Tooke's opinion of controversy 443
Tortoise, a large one 93
Transportations, cost of 5, 329, 355
Treasury of the U. S.—see *congress.* Circulars, &c. 101, 341; of the solicitor 12; comptroller's circular 358
Treaty with Prussia 14; Brazil 33; at Green Bay 133; with Turkey 220; see *congress*, secret of Tilsit 49
Tripoli 125
Trotting, rapid 156
Troup George M. 129
Turkey—treaty with the U. S. 7, 220; large fire at Constantinople 241; evacuated by Russia 112; affairs of 191; Shumla 241; Smyrna 241

V.

Values, circulation of 217
Vases, splendid, found 93
Van Buren, Mr. declines a public dinner 5; dines at almshouse 58; receives ministers at New York 55, 59; at Washington 57; letter on W. I. trade 165—see *West Indies* and *congress.*
Vegetable wonders 24
Vermont—damages in a lottery case 232; elections 59, 158, 202, 275, 334, 460; state of parties 74; masonic incorporation repealed 188
Virginia—elections 138, 222, 442; population 302; natural bridge in 56; population of Norfolk 5; Ohio county 205; gold 92; money plenty in 155; internal improvements 427, 442

W.

Waring, Henry dies 205
Washington, gen. a friend of the tariff 17; mistake about 106; as a French marshal 171, 202
Washington judge, his memory honored 104, 172
Watmough, John G. 239
Weather, state of 218, 331
Webster, Mr. at Salem 7
Wernwag's bridge 74
West Indies—British; facts and remarks on the trade to, from the United States; various 6, 17, 18, 55, 57, 108; president's proclamation, remarks &c. 108, 110, 121; official circulars concerning 151, 165: operation 171, 202, 220, 331, 351, 460; order in council and tariff of duties 350; debate in parliament 351; correspondence 390, &c. slaves in 332; imports 205; see *congress*, and *editorial.*
West Indies—Danish, 188
West Point, cadets censured 232
Wheat, duty on in England 1; demand in Ohio 442
Willett, col. dies 205
Wilkinson, Jeremiah, 441
Williams, gen. D. R. 222
Wilson, David, of Ky. 155
Winans' friction wheels 299
Wirt, Mr. his opinion on Indian affairs 19, 81; corr. with gov. Gilmer 58, 69; appointed orator at Baltimore, &c. 125, 170, 385
Witness objected to 103
Women, price of labor of 62
Wool German 203, Australasian 234; in demand 318; price of 459
Working classes in Paris 59
Wrede, marshal 337
Wright, John C. 335
Wright, Frances 63

Y.

Yankee Doodle, origin of 72; enterprise 221
Young Charles, indicted 158

NILES' WEEKLY REGISTER.

FOURTH SERIES. No. 1—VOL. III.] BALTIMORE, AUG. 28, 1830. [VOL. XXXIX. WHOLE No. 989

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES & SON, AT $5 PER ANNUM, PAYABLE IN ADVANCE.

☞The twenty-six numbers being completed, we, rather inadvertently, closed the last volume, though the month of August has not yet expired. We would prefer the new volume to have commenced in September, for more easy reference as to dates; but the *extra* sheets that we gave in the last six months, (with the heavy supplement in the press and now nearly finished, containing the speeches on Mr. Foot's resolution in the senate of the United States), had already rendered the volume too large—and we are reconciled to the result, intending to furnish *twenty-seven* regular numbers for the new volume, so that the usual period may be regained.

In commencing the *twentieth* regular year of our publication, we have not much to say to our friends or the public, the character of our paper being well known to all that are interested in its concerns. We have seen no reason to retire from the support of certain great *principles* entertained in the days of our youth—and they shall be supported, without the least regard to the turnings of parties. We know that some who loudly cheered us for resisting the wild doings that led to the Hartford convention, excuse the more wild and less justifiable proceedings in the south;—that many who greatly encouraged us in our feeble efforts to forward internal improvements, affect to believe that we have become *partizans*, because we have not changed our course *as they have changed theirs*;——and that not a few who have complimented us far beyond our deserts, because of our zeal for the protection of the industry of the people of the United States, have had their eyes so opened as to discover what a "judicious" tariff is—a thing which, we honestly confess, we never have comprehended, in the general use of the term: ——But we shall still "pursue the even tenor of our way," "let others do what they will," without intending to permit "even the shadow of a change," until we shall openly and frankly confess a *conversion* from the errors of our thoughts. In doing this, we ask the continued and faithful support of all who think with us—and tell them plainly, *that it is needed*. The pressure against us is powerful—but we can overcome it, if cheered by those more interested than ourselves in the preservation of those great principles which we delight to maintain—and which we shall maintain, with our accustomed zeal, until induced wholly to give up the contest, and seek some less laborious mode of making a living for ourselves and families.

FLOUR. Some feeble speculations took place in flour, a few days since, because there had been a few showers of rain in England! But this oft-repeated quiz upon our dealers, did not last long. They have suffered too much by gaping at the foreign, and neglecting the home market. The latter, for the state of Massachusetts *alone*, is worth more to the farmers of New York, Pennsylvania, Maryland and Virginia, than that of *all* Europe.—On the 9th July, because of a rise in the value of flour at Liverpool, the duty was ONLY 12*s.* 5*d.*—or say *three dollars per barrel*, at the present value of the dollar.—Will the "free trade" "philosophers," the Mac Duffies and Coopers, "speak to" this? How may they recommend a policy to us, in regard to England, which England refuses towards us? The negro slave takes the blow and says "Tankee, massa"—but such does not suit *our* constitution!

"TAX" ON COTTON GOODS. A clerical error passed through a part of our impression this morning, but which, being corrected, left a confused statement of what we intended to have said. We therefore beg leave to cancel entirely, the 1st member of the 4th paragraph, in the 2nd column of page 416, and make it read as follows:

"It takes nearly one fourth of a pound of cotton to make a square yard of such cotton goods as Mr. Raguet rates at five cents the yard—so the material costs 2¼ cents, and if the duty be a "*tax*," the latter being 8¼ cents, the cost of the material and of the tax, is *eleven cents*, or 120 per cent. MORE than such *five cent* cloths sell for, without allowance of any compensation or profit for its manufacture. That is, one may buy, with *five cents in money*, a yard of cloth, which, the amount of the *duty* being added to the value of the *material, costs the consumer eleven cents!* This is a curious sort of "arithmetic," indeed.

Saturday evening, Aug. 21.

We add, for a more full presentation of this matter to our readers:

In his tables of "taxes!—taxes!—taxes!" Mr. Raguet is very fond of letting the people know how much they have to pay upon every dollar of the cost. We have shewn the *oppression* as to castor oil, the *forty cents* per gallon "tax" having reduced the whole cost of the article *two dollars* per gallon, as well as furnished us with an article of greater value!—and we shall soon produce many like specific cases; *for the general fact of a reduced price belongs to* EVERY *article that has been* PROTECTED—*or "taxed," as Mr. R. says—and we defy a shewing to the contrary.* It is the first time since the foundation of this world, that a lessened price of commodities to consumers, was regarded as an oppression on them!—and we must confess that the logic of this matter is past our comprehension. Are fire-bricks, as another example, to be so respected, seeing that, a little while ago, the *British* Stourbridge, selling at 70 dollars a thousand, are now reduced to 30 dollars, because those made in Baltimore are offered at the latter price, which, if being a fair one, the fact appears that John Bull, 5 or 6 years since, *extorted* of us *seventy* dollars for what he could as well afford then, as now, to sell for *thirty*. How is it with glass, highly "taxed," the price of which is reduced at a greater rate, and an hundred other articles that we might mention, if we should pass over the list?

But we wish now only to compliment Mr. R. upon the *address* with which he has stated the "tax" on coarse cotton goods.

He says that on these goods "such as suit *poor* people, and cost from 5 to 10 cents per square yard, the tax is 87 cents to 175 cents on every dollar of the cost."

Now had he stated this case fairly, he should have said—on every yard of such cloth as a person may purchase for *five* cents, he pays *eight and a half cents "tax!"* That is, by some sort of legerdemain, no more within the range of human intellect than the establishment of a boundary for space or limit of eternity,—a man, in disbursing *five* cents for an article that he needs, pays *eight and a half cents* "tax" upon it, though the cost of the *material* and its *manufacture* shall have been—"*just nothing at all.*" The public debt might soon be paid off at this rate of *figuring!* The price of a bushel of wheat in England, say, is two dollars. The duty on a bushel of such wheat imported, would be thirty cents. But in Illinois, &c. it has sold for 25 cents per bushel—so every purchaser, in payment of 25 cents for the *wheat*, pays 30 cents for the "*tax*" only upon it. What a magnificent "free trade" theory!

Again—under the most favorable circumstances, a sq. yd. of imported cotton cloth pays 8½ cents duty, unless smuggled. But take his *lowest* rate, 87 cents on the dollar of the cost. This cloth, with the "tax" upon it, sells for *five cents*. Then its value in England must be less than two cents and seven mills per square yard, that sum, at 87 per cent. advance for "taxes," producing more than five cents, without allowance for merchant's profits, freight, &c. Will it be said that it may be purchased for 2 cents 7 mills? We guess not!

The high "tax" of Mr. Raguet, however, "175 cents on every dollar of the cost," applies to the goods at "five cents a yard"—and thus taxed, the original *fair* cost of such goods would be only *one cent eight mills per yard!!!*

The real truth is, that a pound of cotton *yarn*, fitted for the manufacture of such goods, sells for rather more money at Manchester, than a pound of such *cloth* as it makes sells for at Boston, Providence, Philadelphia, Baltimore, &c. How then it *can* be that there is a "tax" on coarse cotton goods, we know not.

We repeat what we said—we will assure Mr. Raguet the payment of 100,000 dollars a year, for five years, if he will obtain for us, and our assigns, the admission of such cloths into England, free of *her* taxation.

—

The following were the prices of cotton at Liverpool July 8: Upland 6 3-8 to 7½*d*; Orleans 6½a8¼, Alabama 6¼a72-3; S. Island 12a20; stained 6a10½.

The cheapest American 6 1-8—equal to nearly 14 cents a pound, at the present exchange. What sort of goods at 1 cent 8 mills the square yard, will the British make out of it?

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We shall for a moment, refer to Mr. Raguet's remark about *our* "conversion to orthodoxy," because admitting that the *present* "real par of exchange on England is 485 cents for the pound sterling, not 444," as we rate it at our custom houses, and in moneys of account—for he has just furnished the sure means of CONVICTING *himself* of ignorance, or something worse,* when dabbling "in political arithmetic."

The "Banner of the Constitution" of this day, [Aug. 25] contains sundry tables attached to a report of Mr. secretary Ingham, on the relative value of gold and silver coins, shewing, among other things, the "market price" of standard gold and silver, at London, in each year, from 1760 to 1829, inclusive. As gold is not the measure of value in the United States, we shall mainly notice what is put down concerning silver—or *the dollar*, which is *our* standard in all computations—observing that gold has had a general value of £3 17*s*. 6*d*. *per oz*. which may be regarded as the fixed *legal* value, whereas silver, not being a money of account in England, unless in exchanges, has continually fluctuated, and may be said to have no fixed *legal* value, except in small sums, or as "change."

By this table it appears, that, from 1760 to 1770, the market price of an oz. of gold was about £3 19*s*. 0*d*. and from 1770 to 1800, 30 years, was generally at £3 17*s*. 6*d*. From 1800 to 1820, because of the excess of paper money or foreign demand for gold, the price was fluctuating, rising as high as £5. 10*s*. in 1814. From 1820 to 1829 inclusive, the average is about *one penny* an ounce over the *legal* value, £3 17*s*. 6*d*. But the average of silver was about 5*s*. 5*d*. the *oz*. from 1760 to 1800, varying only in a few pence;† in 1813 it was 7*s*. 6*d*. and from 1820 to 1829, inclusive, less than 5*s*. In 1829 only 4*s*. 11*d*.

The *oz*. in 1813, being worth 7*s*. 6*d*. in account, and in 1829 only 4*s*. 11*d*. gives us the great difference of 2*s*. 7*d*. or a reduced value of *thirty per cent*.—rating the pound sterling at 444 cents, as we have *always* stated it, without regard to the "market price" of dollars at London. We then easily resolve, that the par of exchange is not determinable by *our* measure of value.

Thus—266 oz. of silver in the United States, were equal to £100 sterling in England in 1813—whereas it now requires 403 oz. in the U. S. to pay £100 in London, in 1830.‡

With such variations, which have been frequent, the par of exchange is to be ascertained only for a *present* time: as the value of the Russian ruble is regulated at London, so is the value of our dollar established there. And, whether what is called 10 per cent. *advance* on bills on London, or 10 per cent. *discount*, be other than a *real par* of exchange, depends on the "market price" of silver at London—not upon the value which is set upon the dollar, as money of account, in the United States. The pound sterling is fixed by our laws as having the value of 444 cents—in 1812, it was worth only 344, but now 485 cents. The Russian ruble has an apparent value of 75 cents, but its real value is determined, even at *our* custom houses, by *exchanges* on London, Paris, Amsterdam, &c. and has latterly averaged about 20 cents. The Turkish piastre, as a money of account, was equal to 25 cents in 1808—in 1826, the latest calculation that we have had the fortune to meet with, it was valued at no more than 8¼ cents. The eagle, of our own country, has sold for 10¾ silver dollars. How then does Mr. Raguet venture to speak of "heresy" concerning the rate of exchange—to apply a *present* rate to a *past* ones? A while ago, 75 dollars in the U. S. would have purchased, at the par value, 100 rubles on St. Petersburg—now 20 dollars will do it. This does not shew a "balance of trade," or a "high rate of exchange" against Russia: it shews only a *depreciated* value in what is called a ruble, as compared with our dollar. So with the Turkish piastre—so with American or Spanish dollars, as articles of merchandise. If sending a barrel of flour to England to exchange for 20*s*. worth of calicoes, the "balance of trade" would be really against us, though the treasury tables might shew a gain; but if for a barrel of flour we obtained three times as large a quantity of calico, as in the other case, or 60 shillings worth, because of a higher price for our flour, a gain might be realized, though the tables should shew a loss—the values of exports and imports being compared. We call the dollar 4*s*. 6*d*. sterling—it is now worth only 4*s*. 1½*d*. but it has been 5*s*. 4*d*. A *present* rate of exchange then, can only be regarded. There *are* adverse rates and balances of trade, and they generally exist; but are to be established only by the consideration of different circumstances. Thus, and for a familiar case,—let us say the value of a day's labor is fixed, (as is *our* value of the £ sterling) at one dollar per day; when employed every day in the year, with flour at 5 dollars a barrel, and other things proportionally cheap—the "balance of trade" may be in favor of the laborer: but if employed only half his time, with flour at 15 dollars a barrel, and other things in proportion, the "balance of trade" will be severely against him, though the price of a day's labor remains the same; and we have seen the pound sterling, though legally fixed at 444 cents, worth only 344, though now estimated at 485. It is manifest then that no *permanent* establishment of the "par of exchange" can be made—that it can be fixed for a present time only, by comparisons of current values, what are esteemed values, in different countries.

*Mr. R. will excuse these words, because of the *quoted* words that follow.

† The highest 5*s*. 9½*d*. in 1782, lowest 5*s*. 1*d*. in 1797 and 1798.

‡ £100 is 24,000 pence, divided by 7*s*. 6*d*. or 90 pence, gives 266 *oz*. or by 4*s*. 11*d*. 59 pence, 403 *oz*. In 1813, bills on London were at 22½ *per cent. discount*, at Philadelphia.

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MR. MCCORD, OF S. C. A few of our readers may recollect that in the Register of the 17th Nov. 1827, Vol 33, page 177, we made some remarks on a speech of a young gentleman of this name, delivered at Columbia—the *substance* of which, as published by himself, filled the small amount of fifty closely printed pages, including the notes, &c. in which he said much about "Niles and Carey," "Carey, Niles, Clay, & co." and so forth; and he greatly prided himself on the discovery of a literal error in the *Register*, though suffering one, *exactly the same*, to pass through his own book!—But that was nothing. "Alps and Pyrennes sink before" the logic and dictation of a disciple of Dr. Cooper—or of citizens of the *nation* of South Carolina! If it pleases them to say the natural color of snow is *black*, though they have often taught us poor ignorant people that it was *white*, why black it must be—or green or yellow, or any other color that they shall please to prescribe.

We meet with an article in the "Essex Register" and other papers, as extracted from the "New York Courier and Enquirer," in which it is very broadly intimated that Mr. McCord was recently despatched by Dr. Cooper, and his co-adjutors and co-"calculators of the value of the union," *on an extraordinary mission to England*, (from whence he has just returned), *to ascertain the degree of support that might be expected from Great Bri-*

tain, if South Carolina shall "nullify" the acts of the general government.

We know nothing of this matter, further than hinted in the "Courier and Enquirer"—but recollect several *rascal*-publications in South Carolina in which the expectation of *British* aid, to support the contemplated treason, was decidedly entertained. And, from the following, it would appear that Mr. Mc Cord's mission, (if such as hinted at in the "Courier"), has been entirely successful.—John Bull wishing another cotton-growing colony, well stocked with white and black slaves.

From the [*Columbia*] *Times and Gazette.*

At a meeting of some of the citizens of Columbia, for the purpose of concerting a more general assembling of the citizens of the district, with a view to the discussion and more thorough understanding of the important political topics which engage the attention of the people of this state; for the purpose of learning more fully the views of the candidates who propose to represent the district in the legislature, and of exchanging opinions with citizens from any other parts of the state, who may favor us with their attendance—chancellor *Harper* was called to the chair; when the following resolutions were submitted by Dr. *James Davis*, and unanimously adopted:

Resolved, That the sacred compact which has united together the citizens of these United States as freemen, has been violated and disregarded.

Resolved, That the obstinacy of a reckless and usurping majority, persisting in these wrongs, imposes on us the obligation, due to ourselves and our posterity, *to take the rightful remedy into our own hands.*

Resolved, As frequent public meetings, with a free and full discussion of the topics agitating our state, contributes to enlighten the citizens, and rouse them to a sense of their injuries—that a public meeting of the district be called, at Columbia, on the 20th of September next.

Resolved, That our candidates for the state legislature be requested to give on that day an expression of their political views, and to say expressly whether they will support or oppose a convention of the people of this state.

Resolved, That a committee of five be appointed to give all proper notices of the intended meeting, to invite our senators and representatives in congress, and such other persons as they may think proper; and especially our immediate representative, the hon. W. D. Martin, his excellency governor Miller, and major James Hamilton, jr.; and that the chairman of this meeting be a member of that committee.

Resolved, That a committee of twelve be appointed to make all other necessary arrangements.

Resolved, That we shall be gratified by the presence of any citizens of any portion of our state, who may favor us with their attendance; and especially candidates for the state legislature.

Committee on invitations.

Col. John Taylor,	*John G. Brown,*
Wade Hampton, jr.	*William Harper.*
P. M. Butler,	

Committee of arrangements.

Col. E. H. Maxcy,	*Thomas Ware,*
John McIvor,	*Jesse M. Howell,*
James L. Clark,	*J. B. White,*
James H. Taylor,	*Maj. G. Lightner,*
Presley Garner,	*James Rives,*
Joel Tucker,	*John Frost.*

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The following, from the "Greenville, (S. C.) Mountaineer," under date of Abbeville, July 20, shews the lengths to which a few madmen, lusting for power, (and reckless even of the lives of their wives and children to obtain it) are willing to go, that they may command. Let them go on! Let us at once ascertain whether a few factious spirits in South Carolina, (unable to spare as many fighting men as some counties in Massachusetts, New York, or Pennsylvania, from the protection of their own fire-sides) shall dictate the laws of the union. They have hallooed and threatened *enough*—let them do the overt act. The *present* time is always the best time, to put down such impudent assumptions, and the *people* of South Carolina will themselves do it, when called on. *They* will "rally round the standard of the law"—and the difference between blustering and fighting, will soon be manifested.

The inconsistencies of the *great* "nullifyers" are well spoken of. How would a man like *Lowndes*, if now living, dissipate the chaff and froth of the little-big-men of his state!

Mr. Editor:—The nullifiers have commenced their work. Violence and despotism have become the order of the day. On Saturday last they gave us a practical illustration of their doctrines. Perhaps there has not occurred since the reign of terror, a more disgraceful scene than took place on Saturday, the 17th of the month, at Stony Point, in this district.

A number of gentlemen of that neighborhood gave a public dinner, to which all the candidates for the legislature for Abbeville district were invited. Gen. Tucker, one of the representatives in congress from this state, and who resides in the adjoining district, was also invited by several individuals. After the candidates had addressed the people, the committee of arrangements waited on Gen. Tucker, and invited him to address the audience, to which he consented. At this moment, however, dinner was announced, when capt. Arnold, one of the committee of arrangements, rose and stated to the meeting, that gen. Tucker, a member of congress from this state, would immediately after dinner speak to the people.

While at dinner, it was whispered, about among the nullifiers, that gen. Tucker was decidedly opposed to them, and was in possession of some facts, which if disclosed, *would go to implicate a certain distinguished individual of this state, and expose their designs.** It was, therefore, determined not to permit him to speak. Of this some of the general's friends were apprised, but it was thought best that he should make the attempt, in order to see how far these men of war and resistance were disposed to go.

Accordingly, the general rose, and at that moment the concert commenced hissing and shouting. This was responded by the trained band in different parts of the company. One or two called out "gen. Tucker can't be heard in Abbeville." *And to add to this infamous transaction, the nullifiers had placed a pitcher of spirits, instead of water, on the stand where the general was to speak.* Finding that he could not proceed he withdrew. Thus it is, that the liberty of speech is to be put down by force; and in character with their principles, in this way, will the party expect to carry all their points. For the honor, however, of Abbeville, as gen. Tucker was about to leave the place, a number of the most respectable citizens gathered around his carriage, and assured him of their highest respect, and avowed their disapprobation of the conduct of the nullifiers.—Among the number was gen. Hodges, col. Lomax, and Mr. Smith, of Stony Point, besides hundreds of other citizens.

But let us, for a moment, take a view of the consistency of these brave and intrepid nullifiers. Two years ago gen. Hayne and col. Hamilton were invited to the great anti-tariff dinner, given at this place to Mr. McDuffie. They attended, and were invited to speak. It was not unconstitutional then for a man to speak out of his own district. *Two years ago these same men were for general Jackson—but now, they abuse the old soldier, and say he has less influence than any president we have ever had. Two years ago these same men were opposed to state rights; but all of a sudden they have tacked about, and declare themselves the exclusive friends of state rights*—One of these wise men, or as they are sometimes called *new lights*, (not blue lights,) stated in his speech on Saturday, *that the whole revenue system was unconstitutional!* What a fortunate discovery! We can now bring suit against the United States, and recover back all the money we have paid into the public treasury since the adoption of the federal constitution. This law suit, and the suit on the custom house bonds, will give employment to our *lawyers*, whose returns I am told are becoming pretty lean. It is to be regretted, that they could not find a job for the doctors, who are also on the

* Does this refer to Mr. McCord's imputed mission? ED. REG.

starving order. But if we can have a stump of a war, then the *doctors* will come in for snacks.

But it is no longer to be disguised, that the nullifiers have embarked in a most desperate crusade, in which are interested all the fierce and angry elements which result from disappointment and from hatred. We are in possession of their plans, and will watch their movements. *Two thirds of the people are against them.*—The friends of the constitution and the union will triumph.

Col. Drayton's speech at the great dinner in Charleston, is hailed as the precursor of the return of good order and sober reason. It is expected that some person of the union party will be brought out as a candidate for governor, in opposition to major Hamilton. I know something of the public opinion in the large and populous districts of the back country, and I do not hesitate to say, that any man who is opposed to nullification, would receive two thirds of the votes, in preference to major Hamilton, or any other man holding his political sentiments. I trust, therefore, that some person will be placed in nomination in opposition to him.

☞Let any one shew in the annals of the "Hartford Convention" a parallel to these outrageous proceedings of "*the* republican party!"

We learn that the nullificatory candidates for the legislature were *withdrawn* at Greenville, the people putting them down by the call of "no convention." The anti-nullification members, it is said, will be elected without opposition.

THE COLUMBIA TELESCOPE republishes the observations of the Richmond Enquirer, giving assurances that "the danger was over in S. Carolina, and that no "statute of nullification would be passed"—with the following remarks, *apparently* from a correspondent:—*Ji big.*

"SIR: On perusing the above paragraph, I was much more surprised at the strange course Mr. Ritchie is now pursuing, than at Mathew Carey's convenient want of memory. Every man in South Carolina, who reads Mr. Ritchie's predictions as to nullification, will wonder where he got his information, and exclaim that the Richmond editor is neither a prophet nor the son of a prophet. What has induced Mr. Ritchie to fall in love with Mr. Webster's system of tergiversation, I know not—but he changes sides with wonderful facility. If nullification be the improper remedy, what will Mr. Van Buren, or Mr. Van Buren's man, the Richmond editor, propose instead of it? Patience? Oh aye: this is the very thing; patience under our afflictions, and a happy issue out of all our misfortunes! The congress majority, with their hands in our pockets, recommend exactly the same thing. The fact is, I do not give any credit to Mr. Ritchie's assertions on this subject; I am compelled to lay aside all confidence in his editorial remarks. He has found reason to change sides, satisfactory, no doubt, to himself"

The Charleston Mercury has the following *pleasant* remarks on the same subject. It is not wonderful that persons who "change sides" so often should sometimes be opposed, though always seeking the strong side:

"Now who the individual is that has undertaken to inform the Enquirer that nothing will be done by South Carolina in relation to the tariff, except *to continue to protest*, of course, we know not. It is sufficient to say that he evidently knows nothing of the prevailing feeling of our people, or that he has insiduously attempted to injure their cause, by creating an incorrect impression in our sister states. The Enquirer may imagine that it "does not speak idly on this subject"—but we do seriously assure it that it never spoke more idly upon any subject in its life. South Carolina has protested *long enough*. The very idea of protesting again is disgusting to her citizens." * * *

"But 'the danger,' says the Enquirer, 'is over. No edict or statute of nullification will be passed in South Carolina.' The Enquirer, we suspect, speaks as *unadvisedly* on this point as on the other. No such statute, perhaps, will be passed *by the legislature*. The prevailing, indeed, the almost unanimous determination of the people is, that a convention shall be called. To such a body, *(open as it is to all our citizens without exception, whether they hold offices or not)* the people will naturally delegate those in whose wisdom, patriotism, and experience they can best confide. In the care of such a body, they will feel that the interests and honor of the state are perfectly safe. And the Richmond Enquirer may rely upon it, that if ever South Carolina *protests again*, it will be by such a manifesto, emanating from such a source, and containing such an exposition of her understanding of the constitution, and of the course she is determined to pursue in the prosecution of her rights, *as will compel her oppressors to pause in their career.*"

"One look from Chrononhotonthologos shall stare thee unto nothing!" "Pass—if you please!"

ANTI-NULLIFICATION. At a public dinner given to Mr. Clay, one of the representatives in congress from Alabama, at Huntsville, the following were among the regular toasts:

The Union—May "spring guns and man traps" catch the fingers and *tongue* of the man who would write or speak aught against the union.

The University of Alabama—Founded on the liberality of the general government, will, with a prudent disbursement of its funds, rival any similar institution in America.

The American Colonization Society—May its philanthropic efforts emancipate and remove the last African from the American shores.

☞The *nullifiers* will be *nullified* when they attempt to *nullificate* the *unnullificatable* will of the people—and become *nullities.*

DECENCY AND LOGIC! *From the Georgia Journal of Aug.* 14. Glorious news.—Did you ever hear the like of it? They're going to elect Mathew Carey, the grand royal arch high priest of monkey craft, to represent the Philadelphia district in the congress of the United States. Did you ever hear the like of that? We're almost ready to jump out of our skins for joy. We feel, at the bare prospect of his election, like the preacher who used to say, when he got into his tantrums, that he felt like he could storm h—ll and run Bonaparte. Our fortune's made; for if we don't get Mathew to present our petition to congress to protect us in raising raccoons, there's no snakes. Just let him be elected, and let him present our petition, and make a speech in support of it, drest out in all its rambeaus, and flambeaus, and fripperies of true monkey system eloquence—and the monkey system people can't refuse to grant it. Only think of a speech in congress by Mathew Carey on raising raccoons. He can find raw materials for a dozen first rate ones in Niles' Register, and his own writings under the signature of Hamilton. Only think of a speech on the racoon system by Mathew Carey. It makes us poetical to think of it. Who would'nt go to Washington to hear it. Even

> Wild geese straight from Canada,
> To milder climates on their way,
> Would poise themselves in midway air,
> And gaze with rapture rich and rare,

on such a scene as this. Just elect Mr. Carey and our fortune's made. We would'nt give thankee to be gen. Jackson, or even Hezekiah Niles. No. We would'nt give three-thirds of a copper to have king George call us cousin.

MR. MCDUFFIE'S PUZZLE. *From the Charleston Courier.* "The grower pays the duties on the imported article."—*McDuffie.*

A man in our district raised ten bales of cotton, which he sold to a store keeper here for $30 a bale, making $300. They tell me that these thirty bales, when they have been manufactured by British mechanics, will make goods worth three times as much as my neighbor got for his cotton; that is, $900, if the cloth is the commonest. The duties, Mr. McDuffie says, are equal to 45 per cent. on such goods, so that the duties on the goods made out of my neighbor's ten bales of cotton are $375, and these are paid by the planter. Now I know for a fact, that my neighbor paid his store account, $75; his taxes, $25; and bought a wench and two children for $500; and paid $150 cash, and always kept some small

change about him, and calculates to pay as much more next year on his negroes. Now, where did he get the money to pay out of $300, the price of his cotton; his $375 duties, and have enough left for his other purposes? This puzzles me mightily. We farmers don't understand it. We get along, pay our debts, and buy a little every year; and don't know that we are ruined yet. The lawyers who go to congress say we are. I'll give a fat calf to any body who will just let me know who it is that robs me of money I never had, and ruins me without letting me know a word about it.

AN EDGEFIELD FARMER.

POPULATION. The population of the city of Baltimore,—condensed from the table recently published,—may be classified as follows:—

Free white males,	29,877	61,518
Do. do. females,	31,641	
Free col'd. males,	6,135	14,887
Do. do. females,	8,752	
Male slaves	1,660	4,121
Female do.	2,461	
	80,526	80,526

The census of 1820, was as follows:—

Free whites	48,055.	Gain 28 per cent.
Free colored	10,326.	Gain 44 " "
Slaves	4,357.	Loss 6 " "
Total	62,738.	Gain 28 " "

The population of Providence, R. I. is about 17,000—increase in 10 years, 5,000. The embarrassments of last year caused an astonishing decrease of inhabitants, by scattering persons into the parts adjacent, &c.

The whole population of Norfolk, Va. is 9,816—5,131 whites, 928 free persons of color, and 3,757 slaves—13 aliens, 2 deaf and dumb, 8 colored persons blind from old age. Of the white males there are 4 between 80 and 90 years old—of the females 2 between 80 and 90, and 1 over 90; there are 2 colored persons over 100 years old. Increase since 1820—1,338; viz. 513 white persons, and 825 colored.

Cincinnatti has 25,279 inhabitants—it had 9,642 in 1820.

Georgetown, Col. contains 8,441 persons—of whom 499 are aliens, 4 deaf and dumb, 8 blind—1,209 free persons of color and 1,175 slaves.

THE ANNUAL VISITATION OF THE PUBLIC SCHOOLS is an important day at Boston. The last took place on the 17th inst. After the transaction of business, a very large party dined in Faneuil Hall, at which, among others, the following toasts were drunk:

The day—consecrated by our ancestors to the welfare of the rising generation. As they looked forward to our prosperity, may we recur with fond and grateful emotions to their example.

The faithful and able instructors of our city schools—If those are benefactors of their country who can make two spires of herbage grow where one grew before—how much is due to those who enter first on the wilderness of the mind and bring it all into grass.

Old Harvard—The queen mother of the schools, academies and colleges of Massachusetts—May the heart, the hands and the feet, *never* say to the head, "we have no need of thee."

By Mr. Cowper of Virginia: The states of Massachusetts and Virginia, the one a great navigating state; the other a great agricultural state; their interests have been and will be again identified.

By the mayor: The state of Virginia, our older sister—the mother of Washington, of Jefferson, of Henry, of Madison and other worthies; may the affection we felt for each other in our days of affliction, be never interrupted in the days of our prosperity.

By J. T. Austin, esq.: Baltimore, the city of monuments and rail roads—We sometimes send her a representative of our industry and intelligence—May we import a little of her energy and enterprize.

The distribution of the *Franklin medals* was an interesting ceremony—and the address by alderman Russell very appropriate.

We wish that, in respect to public education, at least, every state should closely follow the lead of Massachusetts.

NEW YORK. We mentioned in our last, the nomination, by the anti-masonic convention at Utica, of Messrs. Granger and Stevens, for governor and lieut. governor of New York. One of the papers in the interior, and a supporter of the convention to be held at Herkimer, denounces these nominations as the result of "an arrangement between the leading anti-masons and the coffin-handbill working men." New York is the head-quarters for coining political epithets. To preserve *the* republican party, and prevent the election of either Mr. Adams or gen. Jackson, in 1824, "the party" refused the people the right of voting for president, that the undivided vote of the state might be given to Mr. Crawford—the candidate of "the party," but not of the people. We laughed heartily at professions of republicanism coupled with a refusal to let the people prefer whom they pleased; and the gravity with which the measure was urged, was one of the best specimens of regency powers that we ever met with.

KENTUCKY. There is much disputation about the result of the election in this state, as to the political character of the legislature, which may well happen from political apathy, or want of political union, which occurred in several counties. From private and public accounts that we have received, we believe that the parties are arranged as follows: In the senate: the "national republicans" have a majority of two, and in the house of representatives of thirteen—the majority in both cases, being supposed friendly to the election of Mr. Clay. One account says that the parties are *tied* in the senate.

☞ We have no additional returns since our last, that can be relied on, to shew the results of the late elections in Indiana, Illinois, and Missouri. Adverse parties are so much interested in representing the issues as favorable to their side of the question, *(for effect elsewhere)*,—that we think it very probable the real force of the political opponents will not be clearly and certainly ascertained, or, at least *admitted*, until after the meetings of the legislatures of the states named!

COL. WILLETT. The venerable and the good col. Marinus Willett, the hero of Fort Stanwix—a valued and brave soldier of the revolution, died at New York on the 22nd inst. aged 90 years, 11 days.

MR. VAN BUREN has declined a public dinner to which he was invited by certain citizens of Albany, under the "influence of public considerations."

A DILEMMA. At a convention of delegates from the counties in Ohio at present represented by Mr. Irwin, the president's veto against the passage of the Maysville road bill was unanimously approved—but Mr. Irwin, who had voted for that bill, and would have passed it against the veto of the president, was recommended as their representative.

COMPETITION. The price of coal at Philadelphia has experienced a great and wholesome decline, as well from the competition of different miners, as the reduced wages, per ton, paid to the laboring people, and their greater skill, together with new and improved communications from the mines to the navigation. Its present price at Philadelphia is from 5 50 to 6 dollars per ton. The population in the neighborhood of the Schuylkill mines is rapidly increasing.

TRANSPORTATIONS! We have seen a letter, (says the Philadelphia Morning Journal) written probably about the year 1770, containing an estimate of the expense of carrying goods from Albany to Detroit. The writer calculates that the cost of conveying 390 gallons of rum, in 157 kegs, would be *eighty-five pounds*, our currency, after selling the boat in which they were carried for four pounds. The cost of the rum and kegs is set down at £68 7*s.* 6*d.*

"RECIPROCAL TRADE!" The Oswego Free Press says, cast iron hammers have been manufactured in that village, ground off, and blacked very handsomely, in imitation of the wrought iron. They are destined for the *Canada* market, and, like Pindar's razors, made to *sell*. "Men are engaged in this business, who should, from their stations in society, blush at such meanness."

☞This, we suppose, is an offset for logwood-blue cloths, and some hundreds of other like articles which the *owners* of Canada favor us with.

"FREE TRADE!" A Liverpool paper suggests that the best way of supplying the British West Indies with American flour, will be to send it *direct* by the way of England—say from Baltimore to Liverpool, and thence to Jamaica!

ROYAL MATTERS. Certain of the American papers give us long extracts from the British, that it much surprises us to see inserted. We shall notice three of them—by way of specimens.

The "post mortem examination of the late king" describes the fat and water that was found in the body—the "omentum" was "excessively loaded with fat."—Then we have an account of the stomach and intestines—the liver and the spleen—the sigmoid flexture and the bladder—the kidneys and the lungs—the heart and the air tubes—the similunar valves, and so forth. His original disease is pronounced to have been the "ossification of the valves of the aorta"—the immediate cause of his death, the rupture of a blood vessel in the stomach. How strange that a *king*, though nearly 70 years old, should die!

Next we have a column about the wife of the present king, daughter of "George Frederick Charles, duke of Saxe Coburg Meinengen," a prince whose territories are about the size of a respectable farm in our western states—the account saying that the "*court* of Meinengen was too insignificant to attract the notice" of Napoleon, and so it escaped French "atheism and immorality!" Adelaide was born 13th Aug. 1792, and, in her 26th year, brought to England, by her mother, to be joined to the duke of Clarence, when, because of the decease of the princess Charlotte, two or three of her superannuated uncles abandoned their mistresses, and resolved to have legal heirs, if possible. In 1819, Adelaide was declared "pregnant," to the great joy of the nation—but she caught a cold, and the promised sovereign of the United Kingdom, prematurely delivered, though "lively and well formed," died! But the mother recovered her strength, as a woman should do, and was soon declared "pregnant" again, with a flourish of trumpets—but she "miscarried." She was soon again in the "family way," and had a female child, to the wondrous enjoyment of its "illustrious parents"—but that child died of an "introsusception of the bowels" when only three months old, plunging millions into grief! A fourth time, it was announced that Adelaide was "pregnant," but she again "miscarried," notwithstanding the loud huzzas of the nation! But the *hope* is held out that she may yet become "the mother of many sons and daughters."

A "great sensation" has been caused by the appearance of a young man at London, the son of a *Russian* countess, who visited England some twenty years ago, and *bedded* with the late king, to whom the young man bears a strong resemblance. It is added, that because his "illustrious" daddy was too sick to see the youth, he attended "*Ascot races and the opera*," and was exceedingly admired on account of his likeness, &c.

It is probable that, if the English keep a sharp look-out, they may discover a considerable number of persons who are sons or daughters of the late king—and the multitude of women with whom he lodged. His affairs with Mrs. Robinson, Mrs. Fitzherbert and *lady* Jersey, are the most notorious. It is probable that these three women, only, have cost the *nation* more than two millions of dollars, independent of the vast expenditures which grew out of his connexions with them. It was the latter who, more directly, caused the separation of the king from his wife. She was one of his well known mistresses at the time of his marriage; and, on getting up in the morning, it was said that he ordered the lady Jersey to receive his young bride—and insisted on keeping her on his establishment!

How edifying—how interesting, are these things to the grave and solid republicans of the United States!

The French, however, in old times, went far beyond the English—when the Dauphin was born, some years previous to the revolution, the color of his *excrement* was adopted as that for fashionable dresses of the ladies, and *plainly* called by its vulgar name.

STEAM COACHES. *Dresden, June 25.* Between this and the 11th of July we shall see arrived here for the first time, a steam carriage which has been constructed at Leipsic. It will perform the distance, which is twenty two leagues, which the stages perform in ten hours, at the most in six hours, and hereafter perhaps in four or five hours. Leipsic will thus be the only city of the continent which offers the example of a regular communication by means of steam carriages. One thing remarkable about this carriage is, that the machinery is so arranged that the smoke escapes almost without being perceived, and thus the frightening of horses on the road is avoided.

The "Cincinnatti" steam coach. We now proceed to give some particulars of this great improvement in locomotive steam engines. This engine, independent of the boiler, is made so *compact*, that a box two feet long, one foot wide, and one foot deep, would contain it if taken to pieces! and yet, such is its power, the builders, Messrs. *Shield & Son*, of this city, inform us, that it will overcome a rise of forty five feet in the mile, without any essential variation in its velocity. We rode in the carriage propelled by it on Saturday last, at the rate of from fourteen to sixteen miles an hour, on a circular road; the same force would propel the same weight twenty miles an hour, and more, on a straight one, there being so much less friction. Another great improvement consists in the *mode* of applying the power, and another in the construction of the *boiler*, which is perfectly novel. Add to which, the consumption of fuel does not exceed *one fourth of a cord a week*, to run from nine in the morning, to nine in the evening!

[*Cincinnati D. Adv.*

INTERESTING ITEMS.

A very respectable woollen manufactory has lately gone into operation at Clintonville, near Buffalo, N. Y. The manufacture of Mackina blankets, as they are called, has been spiritedly commenced—and, out of native wool, the product of our own farmers; it is intended that they shall be cheaper and better than the British. *Jonathan* is always on the stretch to beat *John, and will do it.*

The steam boat Carroll, of Carrollton, made an excursion to a camp meeting on the Eastern Shore of the Chesapeake, on Saturday night last, and returned on Sunday night, with about 1,200 passengers.

The large *floating steam mill* at Canandiagua, N. Y. which cost $28,000, has been destroyed by fire—whole loss estimated at 50,000.

Stephen Cullen Carpenter, an active political writer, died on the 24th ult. at Philadelphia, in the 78th year of his age. [Such a man, in the vigor of his intellect, and being also an Englishman, would be invaluable to the *South Carolina* nullifiers, because of the ease with which he changed sides—and the rudeness with which he maintained present *expressed* opinions!]

The Methodist conference at Oneida, N. Y. was attended by 100 ministers.

Coal wagons are now making at Port Carbon, Pa. in which 10 or 12 tons may be transported with the same power that it lately required to move 4 or 5 tons.

Baron Ferrusac states, that there are in Paris, 500,000 persons who subsist chiefly on bread, and that an increase in the price of this article, at the rate of one halfpenny per day, makes a difference in the year of 9,125,000 francs.

A late letter from Greece says—"The most extraordinary *modern antiquity* which I met with at Samos, is a family of which the father is reputed to be 135 years of age, the mother 132, one son 110, and the other 103,—all hardy hearty looking people, working in the fields yet."

Paris is in tears, not for the killed at Algiers, but for the death of *Herbaut* the great man-milliner of the age, the sir Walter Scott of the world of satin and taffany. An English joint-stock company has purchased his establishment, but his genius and taste could not be legally transferred.

The Simplon, anciently called Mons Cæpionis, is one of the loftiest of the Italian Alps. The new military road was planned by *Napoleon* in 1801: it extends from Geneva to Milan, a distance of 47¾ posts and 245 miles, and it was finished in 1805, after three years incessant labor, upwards of 30,000 men being constantly employed in the undertaking, at the joint expense of the kingdoms of France and Italy.

The loadstone is said to have been discovered, in quantity, in Cabarras co. N. C.

During the month ending on the 14th inst. 27,000 barrels of Richmond city mills flour, made of new wheat, were shipped at that port for South America, in fourteen vessels; the principal part destined for Brazil.

It is stated in the western papers that the Ohio canal is now open from Cleaveland to Newark, a distance of one hundred and seventy miles.

The population of Rome in its "palmy state" was 3,968,000, at present the "eternal city" does not contain more than 140,000 inhabitants.

The place where the discovery of printing was first made has been long a matter of contention. In Mallinkrot's work, published in 1640, on the progress of typography, he enumerates 109 testimonies in favor of Mentz, as the birth place of this art; yet the latest author who has resumed the controversy, declares decidly in favor of Haarlem, and assigns the wreath, which has been variously bestowed, on Gottenberg, Faust, and Schœffer, to Lawrence Coster, of Haarlem.

The rev. J. T. O'Neil, a Roman Catholic priest of Charleston, recently paid to the administrator of the estate of the late John Quinn, merchant of that city, the sum of $536 16 cts. with respect to which he says in his letter to the administrator—

"It may not be irrelevent to inform you that I have received the above amount through the confessional on the principle of restitution. The debt originally contracted was not much above half the present sum, but the legal interest arising thereon with which the individual bound to restitution became justly charged, has increased the debt to the present amount."

"A priest of the parish," travelling in Vermont, to oblige a parishioner, lately took charge of certain trunks, in the hope that a clergyman's baggage would not be suspected—which were found to contain smuggled goods. His own honest account of the matter, procured him an immediate discharge.

The coasts of North and South Carolina were visited by a dreadful hurricane on the 15th inst. The wind blew with "terrific" violence. Many vessels were lost or damaged, and much injury done to property alongshore.

FOREIGN ARTICLES.

From London papers of the 9th July—at Baltimore.

The weather was wet and unfavorable, and some purchases had been made of American flour, in bond, on speculation. It was worth from 31 to 32 shillings. A small advance in the U. S. has taken place in consequence. As the British approach *starvation*, they reduce the duty on our flour; when they have full crops, its consumption is virtually forbidden, though offered at half the price of their own. The cotton market at Liverpool was improving.

There are many conjectures about changes in the ministry. If the *king* of England remembers the slights of the *duke* of Clarence, he will make extensive reformations.

A letter from Constantinople states that the exchange of the treaty of amity and commerce, concluded with the United States of North America, took place on the 30th May.

A dreadful fire happened at Constantinople on the 30th of May, which destroyed nearly 400 houses.

The pinching times in England are shewn in the decrease of the excise duties—in the last quarter they fell off in the large sum of 357,653 pounds. The paupers are increasing, notwithstanding the *export* of many to the United States.

The insurrection of the natives in Java has been quashed by the Dutch.

The differences between the British merchants and the Chinese authorities are said to be arranged, and trade with the "celestial empire" resumed.

The late king of England was to be buried on the 15th July, parliament dissolved on the 19th, and the present king crowned in October next. There will be *busy* times, because of great events! William has pardoned 37 persons lying at Newgate, sentenced to death. The motion to appoint a regency was rejected—for it 93, against it 247.

We have some details of the proceedings of the French at Algiers. It does not appear that, as late as the 30th of June, they had obtained any decided advantages. Their loss is not reported as having been large—but Bourmont was anxious for *reinforcements*. They were much harrassed by the Arabs, who act bravely, and reap a rich harvest in French *heads*, presented the dey, as the Indians obtained for *scalps* of American women and children, by British purchases of them in 1813. Gen. B. is a prudent or weak man.—He has nothing of the "dashing" spirit of the school of Napoleon—as yet appears.

It seems that the liberal party will have a large majority in the French chamber of deputies, and, perhaps, another dissolution will take place! France is much agitated.

The duty on West India sugar, in England, is to be 24*s.* cwt. and on the East India 32*s.* *Bounty* in favor of the West India slave-labor, 8*s.* to be paid by the people of the United Kingdom.

The grand Turk is said to have manifested a bad faith to Russia—his agents have driven the Russian authorities out of the ceded territories. Nicholas will hardly again be diverted from his darling purpose, if his armies shall again cross the Balkan.

There was a prospect of good crops in Ireland.

We have a full account of the established household of the new queen of England. The first "lady of the bedchamber" is an elegant Baltimore woman—Mr. Richard Caton's daughter, the marchioness Wellesley. There are many others, as well as "maids of honor" and "bed chamber women"—the "maids" are all *misses*, and several of the "women" are "ladies."

The following are three specimens of the *splendid griefs* of Britain, because of the death of the late king:

"Yes, George the Fourth is dead, to fate a martyr,
And high and low, like he, must follow arter!"

"Britannia on her rocks sits sad—forlorn—
And weeping cries, his majesty is gone!"

"King George, alas, is dead, the sage and good,
The best and biggest of the Brunswick brood!"

We have also, a great account of the mass of corruption—the poor thing of "dust and ashes," that lately personified the "majesty of England," lying "in state." Festoons and sconses, wax candles and tapers, were abundant—with many *real* mourners, because they had to stand still, and become weary of the *labor* of mourning—but they were paid for it, and should not fail to earn their wages, decently! If we could laugh at some of the fooleries performed, we should laugh. But it is no laughing matter, when *men* are thus called to *weep for one king dead*, and *hurrah for his successor*—very sorry and very glad! O-ho-he! Ha-ha-ha!

At Liverpool, July 9, though the average of wheat was 66*s.* 7*d.* the quarter, the duty was 20*s.* 8*d.* This is British "*free trade.*"

Barradas, who commanded the foolish Spanish expedition against Mexico, has been fool enough to put himself within the power of the "adored Ferdinand," that he might justify himself—and, of course, been dungeoned.

"THE SALEM MURDER."

It will be recollected that a person named Crowninshield was indicted as *principal* in the murder of Mr. White at Salem. Pretty well assured of being executed, he committed suicide, as has been said, that he might save his friends in that bloody "adventure." John

Francis Knapp was then arraigned as the *principal*—the first jury on his case could not agree, and was discharged—but he has been found guilty by a second, which, it is expected, will determine the fate of the two *accessaries*, who, without the establishment of guilt in the principal, could have escaped. He was ably defended by Mr. Dexter. Mr. Webster was against him, and in the course of his concluding speech said—

"If society were excited, there was cause for excitement; whoever might be the authors of the murder, there was in it so little that we ever heard of in New England before, so incomprehensible, that who that valued the security of his own repose on his own pillow, did not see in it a case calculated to terrify the community. It was a cruel murder; it was a dispassionate murder; all deliberate, all skilful. And now that the facts were exposed, it astonished by the absolute want of all stimulant except money; it was done in a spirit which calculated so much blood against so much money. Under our New England example, murder had received a new character. Let him who pourtrays, not make it a Moloch; let him not give the knitted brow, the blood shot eye, but the cool face of an infernal spirit of another stamp, about his ordinary business; there was no more rushing of the blood to the face, than if there was none in the heart of man. They might see the perpetrator entering the house; he treads the rooms; his feet sustain him up a long flight of stairs, he steps within the room, the victim is asleep before him, his back is towards him, the moonlight is shed upon him; his grey hairs are visible; the temples are seen; the murderer strikes the blow; he raises the arm and strikes again; he recomposes the clothes; he feels the pulse—he descends—no eye has seen him—he is master of his own secret, as he thinks—and he escapes. But he is mistaken. There is not a place in the universe where he who has that secret, can repose it and say it is safe. It is in the general administration of Providence, that the secret of murder shall not escape detection. When a thing of this sort happens, it draws attention; a thousand intelligences are directed to the spot, they burn upon it, to discover a train of circumstances leading to the discovery. But a man cannot trust himself with such a secret; the human heart is not made capable of holding it; the secret of which man is master, masters him, and, like the evil spirit, leads him where it will; he has a vulture which he cannot allay; he feels that his inmost soul is read, and he feels that his thoughts are almost heard; there is no remedy but confession, unless it be suicide; and suicide is confession.—The slightest circumstance, often lights up a train which sheds lights upon the whole thing. When a murder was committed of an alarming character, which was to be developed only by circumstances, was it wonderful that there was excitement. It was the duty of the jury to investigate the circumstances—to see who they were who had done it—resolved to do no more than justice. But there might be, and unhappily for human nature there was—a counter excitement. The enormity of some crimes so astonished men as to subdue their minds, and they lost the desire for justice in a morbid admiration of the great criminal—and the strangeness of the crime. This had arisen in part from the writings of one who had affected not only the imaginations, but the principles of the young, by making crimes attractive."

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Sentence of John Francis Knapp.

This wretched young man received his sentence at Salem, on Saturday last. At 9 A. M. he was placed at the bar. The crowd was as great as at any former time of the trial. He remained throughout the solemn ceremony as unconcerned and immovable as ever. When asked by judge Putnam, if he had aught to say why sentence of death should not now be pronounced upon him, he replied with great energy and firmness:

"I have only to say, that I am innocent of the charge—and I now declare to the world, that I shall die innocent of the crime, for which I am to suffer."

Judge Putnam then proceeded to pronounce the dreadful sentence of the law, in the following terms:

John Francis Knapp—You have been indicted for the crime of murder—and upon your arraignment have pleaded that you were not guilty—and put yourself upon God and your country for trial. Able and learned counsel have been at your request assigned by the court to assist you in your defence. Your case has been committed to a very intelligent and impartial jury, selected by yourself, who have for six days patiently and attentively listened to the evidence and the arguments. All that learning and industry, fidelity and talents, could suggest, has been urged in vain in your defence. The truth has prevailed—and the jury of your country have established your guilt—the court is satisfied with their verdict, and you come now to receive the sentence of the law.

Before we proceed to the last and painful duty, we are desirous of doing you all the good in our power, by awakening your mind to a consideration of the awful doom which awaits you. Would to God, that any thing we could say, would have the effect of softening your heart, and of leading you to sincere contrition and repentance.

The horrible murder of which you have been convicted, stands in bold relief and deformity in the history of crime.

The victim of your ferocity, in a few years, according to the course of nature, would have sunk into his grave in peace, but for the thirst for gain which corroded the hearts of those who conspired against his life. He was living in the midst of as peaceful a community as exists upon the face of the earth, surrounded by his relations and friends, upon whom he had lavished his bounty. In the stillness of the night—while he rested his aged limbs upon the bed—while he was in the arms of sleep—in his own house—in the centre of this populous town—the assassin of your procurement committed the deed of death, while you, in the judgment of the law, were present and aiding him in the fact.

The circumstances attending the conspiracy, exhibit a cool, deliberate design to take the life of the victim, merely for the sake of gain. There was no other passion to be gratified.

The conspirators were all young. They were connected with respectable families. They were born, and reared and educated among us. They had the means of living within their own control, if they had pursued the course of honesty and industry.

But they forsake this course, and resolved to cut their road to fortune through blood and murder.

Our peaceful city stood aghast at this dreadful deed. The very foundation of our society seemed to be shaken—and the shock was not confined to this vicinity or state, but extended throughout this land.

Suspicions too horrible for utterance were excited in the breasts of reflecting men. The sense of security which the law inspires, was in a great manner lost. No man's house was considered a safe castle—and men seemed for a time disposed to trust to their own arms, rather than to the protection of the law for their safety.

But there is a providential watch constantly over us. The murderers have been detected by means as extraordinary as their crimes were atrocious. The assassin has perished by his own hands—and the tremendous punishment for your crime is about to fall upon you.

But there is in these awful events a WARNING VOICE, which speaks to all, and especially to the young, as with the sound of the earthquake, in every breeze which wafts the news of this horrid tragedy—"Forsake not the ways of truth and honest industry, which lead to honor and everlasting life, for the paths of vice and profligacy, which lead to ignominy and death."

"Be not deceived by their enticing appearances. At their beginning, the rose-buds of hope and passion may appear, but they end in anguish, poverty, and destruction."

Our fervent prayer for you is, that you may be prepared, by sincere repentance, to appear before the Judge of all the earth. And we would urge you to apply to those pious men whose duty it is to teach our holy religion, to help you with their prayers and instructions during the few remaining days which may be allowed to you; and may God grant success to their endeavors.

It only remains for us to declare the sentence of the law which is, and this court doth accordingly adjudge,

That you be carried from hence to the prison from whence you came—and from thence to the place of execution, and there be hanged by the neck until you shall

be dead. And may God, of his infinite grace, have mercy upon your soul.

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In performing this oppressively painful duty, judge Putnam was much affected, and sobbed audibly after he had pronounced the judgment of the court. The prisoner, on the contrary, maintained his unconcern throughout. Indeed there was apparently not a spectator, who did not suffer more than he who was most interested.—On leaving the bar, he put a quid of tobacco into his mouth, with the utmost non chalance.

The trials of Joseph J. Knapp, jr. and Geo. Crowninshield are necessarily postponed till the next term of the court, which will sit in Salem, Nov. 9. The judges are required by law to proceed on the circuit in the western counties early in next month; and the recent death of the chief justice has devolved on the court many arduous preparatory duties.

The day of J. F. Knapp's execution is to be fixed by the governor of the council. [*Boston Patriot.*

DULL TIMES.

There is much truth and good sense in the following remarks, which we extract from an editorial article in the Boston Centinel:

"With the exception of a single expedition, all Christendom is at peace, and all Europe and America are complaining of dull times. Such complaints are incidental to periods of profound peace; not because the people do not then enjoy more actual prosperity, but simply because people then generally turn their attention to productive industry and commerce: competition is increased, and individual profits are smaller, because shared by a much greater number. The few who had been accustomed to profit by the embarrassments imposed upon the mass while engaged in wars, utter the most lugubrious complaints, because in peace, the mass come in competition, to the diminution of their abundant gains.

Such is peculiarly the case with the people of this country. They have become giddy with prosperity. When all Europe were engaged in permanent wars, and the whole transatlantic continent was locked up by Napoleon's CONTINENTAL SYSTEM against the English commerce and navigation, we, as enterprizing neutrals, enjoyed for many years, means of prosperity unparalleled in the records of the world. Our merchants were the favored agents of all mankind. We enjoyed profound peace, and were the welcome ministering spirits of a world in arms. The consequence was, that we fell into such lofty ideas of accumulating wealth, as to become unsuited to a vulgar measure of prosperity. We became extravagant as a nation, not only in our notions of acquiring wealth, but in squandering it away. We are, in fact, the most prodigal people in the world.

It is a fact well known, by those who have had an opportunity of personal observation, that the people of the old countries are far more economical than our people. It is a fundamental principle with them generally, to measure their expenses by their income, and to live within bounds. Such is not the general rule among us. We rather look to our neighbors for the rule of our expenses; we are horror struck at the very idea of appearing a whit behind our neighbors in the display of wealth. This is a much more extensive cause of ruin than any actual want of good times."

RECAPTURED AFRICANS.

It is well known that the African negroes brought to this port by the officers of the U. S. scur. Grampus, were held by the United States' marshal by no other authority than the verbal direction of the district attorney; since their arrival the ruffians who tore them from the bosom of their country, have made several attempts to recover possession of them. They tried to bond them, but could not get any person to become their security. We wish New Orleans may never find within its bounds men base and mean enough to lend their names in support of such miscreants.

The United States' marshal was somewhat placed in jeopardy with regard to these negroes, supporting them without knowing who was to pay him—whether the U. States or the Spaniards, or whether he had any right to be paid at all. An application was made to the judge of the U. States' court by Alfred Haneun and John McCready, esqrs. for a writ of habeas corpus in the name of those negroes, for the purpose that the United States' court should first declare that these Africans being unjustly, illegally, and oppressively dragged from their native country and their homes and their fire sides by lawless ruffians, in open defiance of the laws of civilized nations and of humanity, should be declared *freemen and entitled to their birthright;* as such, secondly, that being declared freemen, they should be declared under the protection of the government of the United States, and to be disposed of as the law of the U. States should direct; and thereby, that for the indemnification of the United States' marshal, these things were necessary as well as they were for the interest of the wretched Africans.

The judge delivered his opinion, in which he stated the case as it really was with great clearness and precision. He said, amongst other things, that a case of this kind had scarcely ever before occurred, and that on this occasion the proper officer of the government had been applied to, and as to the future disposal of these persons, he had no doubt the government would dispose of them to the best advantage to themselves. The marshal had sufficient authority to detain these Africans as they were delivered to him by an officer of the U. States' navy. A law was passed in 1808, which prohibited the introduction of foreign negroes, and in case any should be introduced, give the different states the power to dispose of them as it seemed best to them. Louisiana had uniformly sold them; but a law had been made subsequently, taking from the states this power, and authorizing the government of the United States to send all such negroes to Africa.

Since this was the case, he thought they could not obtain their liberty at present. If they were made free now by the United States' court, the state of Louisiana would seize on them in pursuance of the law passed at the last session of the legislature, compelling all free people of color who have come into this state since 1825, to leave, and they would be driven off perhaps into another state which had similar laws: thus these miserable beings would be hunted like wild beasts from one state to another. They were now protected by the United States, and their ultimate fate would depend upon the determination of the cabinet at Washington.

[*N. O. Advertiser.*

NEW YORK COMMON SCHOOLS.

From the Albany Daily Advertiser.

The annual report of the superintendent of common schools has been made to the assembly. The following are extracts from the report:

There are fifty-five organized counties, and seven hundred and seventy-three towns and wards in the state. Returns have been received from all the county clerks, embracing the required reports of the commissioners of common schools from every town in the state.

From the abstracts accompanying the report, it appears that there are in the several towns of the state, 8,872 school districts organized; and that of this number 8,292 have complied with the conditions of the statute, by having a school kept at least three months by an inspected teacher and making returns to the commissioners.

It also appears that 1,263 new districts have been formed during the year ending on the 1st of January, 1829; and that the number of districts which have complied with the law so as to participate in the public money, has increased one hundred and twenty-eight.

That there are in the districts from which reports have been received 468,257 children over 5 and under 16 years of age; and that in the common schools of the same districts 480,041 scholars have been taught during the past year; the general average of instruction having been about *eight* months.

The number of scholars instructed in the common schools, exceeds, by 4,437, the whole number of children between the ages of 5 and 16. From this estimate the children instructed in the cities of New York and Albany are excluded, as an enumeration of those between 5 and 16 in those cities is not required or obtained by the law.

The number of children between 5 and 16 has increased 19,257 since the last annual report; and the number

of children taught in the common schools of this state, has increased 11,836 during the same period.

There are one hundred and sixteen towns in the state, in each of which more than one thousand scholars are instructed; several towns report between fifteen hundred and two thousand, and a few large towns make returns of more than two thousand scholars taught annually.

There are sixty-eight towns, in which more than twenty schools are organized in each; several of these contain more than thirty. The general average of the number of districts, including all the towns, 11½ for each town in the state. The average number of scholars instructed in the districts from which returns have been received, is a fraction less than fifty-eight for each school.

This estimate, as well as that relating to the number of children instructed, is based upon the whole number of scholars on the rolls of the schools, without reference to the time which each scholar has attended. And it is not to be understood that each one of the 480,000 scholars returned has had eight months instruction during the year; but that this is the aggregate number of scholars on the rolls of the schools, and receiving more or less instruction; and that 8,292 schools have been kept open for the reception of scholars, on an average period of eight out of the twelve months.

The first returns under the present school system were made in 1816. There were reported in that year 2,631 schools, in which 140,106 children were instructed. The increase in the number of schools returned, has been 5,661 in fourteen years, and the increase of number of scholars instructed, has been 339,935, in the same period. The number of children returned in 1816 between 5 and 15, was 176,949, the increase since that time has been 291,808. The school act was revised in 1819, new forms were adopted and published, and new energy was given to the whole system. In 1821, the system was in fair operation; and since that period, the average annual increase of the children between 5 and 15 has been about 16,500; and the average increase of the number of scholars instructed, has been about 19,500 each year, for the last ten years.

During the year 1829, two hundred and fourteen thousand eight hundred and forty dollars and fourteen cents, have been paid to the several school districts which have made reports. Of this sum $100,000 were paid from the state treasury; $102,934 66 were raised by a tax upon the several towns; and $11,905 48 were derived from a local fund possessed by certain towns.

The public money apportioned to the districts, is less by $17,503 07 cents, than the amount paid last year. This diminution has been occasioned by want of authority in the revised statutes to levy the additional school tax; in pursuance of a vote of the towns. The provision giving this authority to town meetings was transferred by the revision from the statute relating to schools, to chapter II. relating to powers, duties and privileges of towns, which was not in force until the first of the present month.

The productive capital of the common school fund now amounts to $1,661,081 24 cents. The revenue actually received into the treasury on account of the common school fund for the last year, has been $94,626 25 cents; leaving a deficit in the amount annually distributed of $5,373 78 cents; to be supplied from the general funds of the state. The revenue of the coming year is estimated, by the comptroller, at $109,981.

Our system of common school instruction is based upon the principle that the state, or the school fund will pay only a share of the expense; and that the towns, by an assessment upon property, shall pay at least an equal share. In addition to this, and in order to enjoy the benefits of the public money, the inhabitants of the districts are required to tax themselves for the erection of a school house and furnishing it with necessary fuel and appendages.

In order to ascertain more fully the practical operation of the system, an additional column was annexed to the forms for school reports, which accompanied the revised statute, requiring trustees to return the amount paid annually for teachers' wages, over and above the sum received from the state treasury and from the town tax. A few towns only, made returns the first year; but the abstract of the present year contains returns, from seven hundred and twenty-nine towns and wards, showing a total amount paid by the patrons of the common schools for teachers' wages, of $297,048 44 cents; which, added to the public money, makes an aggregate of $511,888 58 cents, *paid for teachers' wages alone*, in the common schools of the state. Thus it will be seen, that where the state, or the revenue of the school fund, pays *one dollar*, for teachers's wages, the inhabitant of the towns pays, by a tax on his town, and by voluntary contribution in his district, more than *four dollars*, for the same object. This latter sum of four dollars, is made up in proportion of *one dollar* assessed upon property, to *three dollars* paid by the scholar.

NOTE.—Heretofore, the enumeration embraced the children between 5 and 15: Now, it includes those "*over five and under sixteen.*" This being the census of the children in the districts much nearer the number instructed, than in former years. The same cause gives a much greater increase to the children enumerated, for the year in which the charge in the enumeration from 15 to 16 takes place, than the increase in the children instructed.

OLD TIMES—AT NEW YORK.

Extracts from Walton's "Olden Times"—just published.

Dress, furniture, equipage.—In New York in olden times—1730 to 50, boots were rarely worn—never as an article of dress—chiefly when seen they were worn by hostlers, seamen, and watermen. The sailors wore great petticoat trowsers, reaching to the knee and there tied close—common people wore their clothes much longer than now—a garment was only deemed half worn when it became broken.

There were very few carpets on floors before the revolution; when first introduced they covered the floors outside the chairs around the room—some few families had carpets, but then they procured them through merchants as a special importation for themselves.

Mahogany was not in use prior to 1770, and at most it was displayed in a desk or small tea table—the latter was always round. The general furniture was made of "*bilstead*," i. e. maple. *Coaches* were very rare; there were not more than 4 or 5 of them in the city. Men were deemed rich who kept a chaise, the governor had one coach, and Mr. Walton had one.

Lieut. governor Golden also had a coach. Mrs. Alexander and Mr. Murray also kept coaches. The latter being a Quaker called his a leathern convenience, to avoid scandal.

Umbrellas.—The first umbrellas worn in the city, were worn by the British officers, and it was deemed effeminate in them. Parasols were unknown. As a defence from rain the men wore "rain coats," and the woman "camblets."

Gloves came into use in this city about the year 1765.

All the houses were sanded with white or silvered sand, in figures and devices.

Almost all the articles now made of china or glass, were in the olden time made of pewter.

There were no daily gazettes till after the revolution. Weyman & Gaines, edited a weekly paper.

About the year 1750, the lots fronting *Fly* market were sold by the city corporation at one dollar a foot—$25 the lot. The same lots are now worth $10,000 each.

In 1750 the name of "Greenwich" was unknown; but the Dutch, when they spoke of the place, called it *Shawbackanica*, an Indian name.

In 1750, the Dutch *yachts* took about two weeks to make a voyage from New York to Albany.

The first Methodist preaching in New York was at a house in William street. There Embury first preached, and being a carpenter, made his own pulpit.

EMISSION OF CONTINENTAL MONEY.

From the American Almanac.

The advances made from the treasury were principally in a paper medium, which was called *continental money*, and which in a short time depricated; the specie value of it is given in the following estimate. The advances made at the treasury of the United States in continental money, in old and new emisions, are estimated as follows, viz:

	Old emission. *Dolls. 90ths.*	*New emission.* *Dolls. 90ths.*
In 1776	20,064,666 66	
1777	26,426,333 01	
1778	66,965,269 34	
1779	149,703,856 77	
1780	82,908,320 47	891,236 80
1781	11,408,095 00	1,179,249 00
	$357,476,541 45	$2,070,485 80

By comparing this amount of paper money issued during the revolution, with the estimate (below) of the total expense in specie dollars, it will be seen that the average depreciation of the whole amount issued was nearly two-thirds of its original value.

Expense of the revolutionary war.

As the commerce of the United States was interrupted during the revolution, no revenue was raised from this branch of industry to sustain the great and pressing demands of the nation. Nor, indeed, had congress power to levy a general tax on commerce, this being the prerogative of the several states. The country itself, moreover, in the midst of an oppressive war, was not in a condition to contribute pecuniary aid to the general cause, and the necessary resort of congress was to loans and paper money. It is not possible to ascertain with certainty the expenses of the revolutionary war. An estimate was made in 1790, by the register of the treasury, and furnished to a committee of congress. The following general abstract will show the results.

	Dolls. 10ths.
The estimated amount of the expenditures of 1775 and 1776 is, in specie	20,064,666 66
1777	24,986,646 85
1778	24,289,438 26
1779	10,794,620 65
1780	3,000,000 00
1781	1,942,465 30
1782	3,632,745 85
1783	3,226,583 45
To November 1st, 1784	548,525 63
Forming an amount total of	$92,485,693 15

The foregoing estimates, being confined to actual treasury payments, are exclusive of the debts of the United States, which were incurred at various periods for the support of the war, and should be taken into a general view of the expense thereof, viz.

	Dolls. 10ths.
Army debt, upon commissioners' certificates	11,080,576 01
For supplies furnished by the citizens of the several states, and for which certificates were issued by the commissioners	3,723,625 20
For supplies furnished in the quartermaster, commissary, hospital, clothing, and marine departments, exclusive of the foraging	1,159,170 05
For supplies, on accounts settled at the treasury, and for which certificates were issued by the register	744,638 49
	$16,708,009 75
Note. The loan-office debt formed a part of the treasury expenditures	
The foreign expenditures, civil, military, naval, and contingencies, amount, by computation, to the sum of	$5,000,000
The expenditures of the several states, from the commencement of the war, to the establishment of peace, cannot be stated with any degree of certainty, because the accounts thereof remain to be settled. But as the United States have granted certain sums for the relief of the several states, to be funded by the general government, therefore, estimate the total amount of said assumption	21,000,000 00
Estimated expense of the war, specie	$135,193,703 00

STATISTICS OF CONNECTICUT.

The following statistical table, taken from the books of the comptroller, will be interesting to many of our readers. It is we believe accurate in every respect.

[*H. Times.*

Articles.	*Hartford.*	*N. Haven.*	*N. London.*	*Fairfield.*	*Windham.*	*Litchfield.*	*Middlesex.*	*Tolland.*	*Total value.*	*Total No.*
Dwelling houses	7,178	6,155	5,065	7,092	3,653	6,040	3,572	2,731	$30,095,596	41,416
Acres of land	401,804	319,705	340,467	326,699	311,712	487,982	192,424	233,576	52,231,408	2,607,869
Mills	195	172	173	209	93	364	119	141	883,939	1,597
Stores	475	333	319	315	3	97	146	49	1,341,241	1,827
Distilleries	213	55	8	40	66	48	9	33	106,463	409
Manufactures	199	224	151	209	130	160	130	72	1,442,878	1,211
Fisheries	29		2				6		120,642	46
Horses, asses, &c.	5,001	4,010	3,575	5,418	3,088	7,040	1,941	2,285	1,203,800	32,358
Neat cattle	31,395	27,964	27,176	34,089	23,149	42,738	17,173	16,106	3,360,666	219,783
Sheep	46,964	35,396	51,664	31,482	59,831	78,359	18,676	28,682	362,528	331,054
Plate, *value*	1,518	1,930	3,552	1,523	445	1,382	328	36	10,712	
Carriages, &c.	1,139	664	473	1,112	875	686	428	171	228,374	5,048
Clocks, &c.	4,001	3,101	1,965	3,473	1,870	3,680	1,932	1,347	167,518	21,869
Bank stock	1,921,677	238,460	738,191	202,759	96,022	188,494	312,558	66,590	3,064,780	
Insurance stock	48,270	25,482	10,400	5,940		400	1,970	540	92,992	
Turnpike stock	29,070	23,270	18,879	17,022	7,295	20,631	9,450	7,105	132,632	
Money at interest	253,763	128,370	248,091	558,739	241,163	395,259	74,603	102,553	2,002,541	
Assessments	43,737	23,487	16,893	19,182	8,436	13,894	9,845	5,079	141,173	
Polls at $20 each	5,257	4,566	4,105	5,412	2,999	5,257	2,724	2,006		32,976

TRIBUTE TO CHIEF JUSTICE MARSHALL.

In an oration delivered by the hon. Jno. H. Bryan, of Newbern, (a member of the last congress) before the two literary societies of Chapel Hill, on the 23d June, in which the orator reviews the political situation of the country, and defends the constitution against the fatal absurdity of "nullification"—we meet with the following tribute to John Marshall—a tribute in the justice of which by the progress of time and the dissipation of prejudices 'lived down,' vanquished by an irreproachable life—all men of all parties, will concur. Well founded was the self-congratulation of John Adams—happy will it be for the country, if the mantle of the chief justice descends to his successor—if when that event takes place, to which many who love their country, have already turned an

nxious eye—equal ability, equal integrity and firmness, simplicity and patriotism, shall meet in the character of the successor. [*Richmond Whig.*

If doubts arise as to its construction, a high tribunal, guarded from an improper influence, as far as human law can shield it, has been provided to solve these doubts. It is the just boast of the American system of policy, that the judiciary is elevated to the rank of a co-ordinate department of the government; its independence is thus firmly established, and all temptation to deviate from the path of its exalted duty is removed or prevented. While adverting to the federal judiciary, I trust I may be pardoned for directing your attention for a moment to the eminent man, who has now for thirty years presided over its highest tribunal, and to whose lot it has fallen, more than to that of any other man, to interpret authoritatively the provisions of the federal constitution. Questions most momentous and most embarrassing, have been solved by his gifted intellect, as by intuition; and the arguments by which his decisions have been sustained, while they are intelligible to the meanest capacity, are such as to reflect honor on the highest intellect. Though contending politicians may not always acquiesce in his conclusions, yet none can doubt the strength and depth and clearness of his mind, or the uprightness, integrity, and purity of the judge. It happened to the author of these fugitive remarks, in company with a distinguished citizen of this state, in the summer of 1825, to visit the late ex-president John Adams, who, though bending under the weight of four score and ten years, yet retained much of that dignity and demeanor, eloquence of expression, and vigor of intellect, which so eminently characterized the great orator of the old congress. The name of chief justice Marshall was mentioned, and he seemed "fired at the sound" "there is (said he) no act of my life, on which I reflect with more pleasure, than the appointment of John Marshall as chief justice of the United States. I have given to my country, a judge equal to a Hale, a Holt, or a Mansfield."

BALTIMORE AND OHIO RAIL ROAD.

The following neat account of the present state of this road, is copied from the "American" of the 20th inst. We have recently passed over it, and with a still increased satisfaction. We passed a considerable distance over the road prepared for the rails, beyond Ellicott's mills—the scenery of which we think cannot be surpassed for its beauty—but we almost regretted the necessity of removing the "Tarpeian Rock," however convenient its matter is for filling up ravines, or building bridges—being just exactly located where a vast mass of stone was needed.

It was supposed by some that after public curiosity had been satisfied by a ride on the rail road, the interest in relation to it would subside, and that the number of visiters would decrease. The result of every day's experience shows, however, that the supposition was quite erroneous, for the travelling between Baltimore and Ellicotts' mills continues to be prosecuted to as great an extent as at any period since the opening of the road. There are now in daily use on the road six elegant carriages made by Imlay, besides a number of others of less costly construction. Visiters, therefore, have a full choice of carriages, and may engage any favorite seat or seats, or a whole carriage, according to the number of the party. The rate of travel is usually about ten miles an hour, and frequently, indeed, greater, so that the transition from the heat and dust of the city to the pure air of the country is effected in a few minutes, and without fatigue. Nor is it to be wondered at that those who have once made this truly delightful trip should desire to repeat it, for the novelty, ease and perfection of the mode of conveyance, the gigantic character of the work itself with its granites viaducts, deep excavations and high embankments, and the diversified and romantic scenery which constantly presents itself,—all combine to render the excursion one of the most attractive and delightful any where to be met with. Strangers from all parts of the union are constantly visiting the road, and while all freely express the highest gratification, it is often a subject of remark that our western fellow citizens regard it with that peculiar interest and satisfaction which evince the strongest desire for its success. The double track is completed to the west of Vinegar Hill, a distance of nearly seven miles; and as the carriages do not always use the same track, the traveller is enabled to see with what perfect facility a carriage may cross from one track to another. The number of turns out, or crossing places, where carriages *may* thus pass, is ten in the distance just mentioned. The granite rails, composed of long blocks of that solid and imperishable material, commence immediately beyond Vinegar Hill, and will extend the remainder of the second track, except at the Still House run embankment, up to the mills. The blocks are deposited along the greater part of the track, and parties of workmen are engaged at different points in the various operations of dressing, laying and drilling, and affixing the iron. From the character of the contractor who has this part of the work in hand, there is no doubt that it will be finished within the specified period. The granite rails are to be laid at a price little if any exceeding the cost of those of wood. The triple-arched viaduct at Ellicotts' mills, for the purpose of conducting the rail road over the turnpike, is advancing with due speed. The arches might be completed in a few days, if desired. The structure is of solid granite, with a rusticated exterior. In place of the usual parapet walls above the arches, an iron railing will be erected which, besides being more economical, will also form more appropriate finish to the work. The famous *Tarpeian Rock*, so generally known to the visiters to the mills, is now suffering a gradual diminution of its eastern or front side, in order to make a passage for the road up the Patapsco. The fragments of rock and earth are conveyed by means of a temporary rail-way across the turnpike, and serve to fill up the ravine at the southern end of the viaduct. The visiter who chooses to mount, by the pathway from the hotel, to the summit of the rock, or to clamber along the rough passage around its base, will find that the second division is completely graduated for a distance of twelve miles. Contracts have been made, it will be recollected, for laying down rails of granite for the whole extent of this division, and the work is now going on. The third division was let out, in part, last month, the cost of preparing which for the reception of the rails will be about seven thousand dollars per mile. The remaining part of this division will be let out next week, and the road will then be finished or in progress to Parr's Spring Ridge, a distance of forty miles. The road will surmount the ridge by means of an inclined plane worked by steam power. As soon as the requisite examinations can be made, the remainder of the road to Frederick and the Potomac will be placed under contract.

SOLICITOR OF THE TREASURY.

The solicitor of the treasury has issued the following circular and series of regulations, which we publish for general information:

TREASURY REGULATIONS.

Office of the solicitor of the treasury,
Washington, July 27, 1830.

SIR: I have the honor to submit herewith a copy of an act, passed at the late session of congress, to provide for the appointment of a solicitor of the treasury.

On entering into the relation which that act has established between the solicitor and the law officers and collectors of the United States, I cannot but feel a deep sense of the responsibility connected with the superintendence of the multifarious and important concerns committed to my charge. Diffused as those concerns are throughout this widely extended union, they cannot be managed in a manner satisfactory to the officers or parties concerned, or with a due regard to the interest of the government, without the establishment and a punctual and exact observance of regulations which shall form a chain of responsibility, binding each officer to his duty, from the commencement of legal proceedings, throughout their various stages, till the execution of judgment shall place the public dues in the treasury of the United States. In framing those which I now transmit, I have endeavored to consult the convenience of the several officers whom they affect, as far as is compatible with a just system of accountability.

It would be presumptuous in me to expect that, in the present organization of a new office, I have prepared a

system without error, or that experience will not point out new checks or useful modifications and alterations. Such as your reflection and observation may suggest, if communicated, will be considered and examined with the utmost care and candor, with a view to the improvement and perfection of the system; but, until the regulations for the transaction of business, now established, shall be modified or rescinded, I cannot too strongly urge an exact observance of them. That the mutual dependence and propriety of the various parts of the system of checks, now presented, may be seen and understood, by being viewed together, I subjom to this circular a copy of the regulations, established not only for your government, but for that of all the different officers who must contribute their share of duty in accomplishing the objects of the law herewith transmitted.

I place much reliance for aid in the discharge of my arduous duties, not only upon the talents and business habits of the law officers and collectors of the United States, but still more upon their cordial and hearty cooperation in devising the means of carrying into complete effect the great objects in view, the punctual payment of the public dues, and the prevention of frauds upon the treasury; and I cannot doubt, that a class of citizens, so distinguished for high character, intelligence and patriotism, will feel with me an ambition to demonstrate, by a faithful and efficient performance of our respective duties, the utility of our several offices, and their adaptation to promote the public weal. On my part, it will be my first and strongest desire to reconcile a rigid and exact fulfilment of the laborious and responsible task prescribed to me by law; with such observances of comity and regard to the feelings of all with whom I am connected, as shall ensure a continuance of the most cordial and respectful relations between us.

I have the honor to be, very respectfully, sir, your most faithful and most obedient servant,

VIRGIL MAXCY, *solicitor of the treasury.*

[Here follows the act authorizing the appointment of the solicitor of the treasury, and prescribing his duties. We deem its publication here unnecessary.]

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Regulations to be observed by the collectors of the customs.

1. Whenever a revenue bond shall not be paid, when it becomes due, you will, to use the terms of the law prescribing your duty, deliver it for suit to the district attorney "*forthwith and without delay,*" and will take triplicate receipts of the attorney; one of which is to be forwarded by the first mail to this office, together with a full and exact description of the date and amount of such bond, of the time when it became payable, and the names of all the obligors thereto; one to be sent with your first quarterly returns thereafter, to the first auditor of the treasury; and the other to be retained by yourself. If any part of the bond have been paid, the amount of such payment, and the time when made, must be stated. That the reports of the several collectors may be uniform, I have sent you a form for them.

2. Whenever any obligor of a bond put in suit, shall, before execution is delivered to the marshal, pay the whole or any part of such bond to you, you will give him triplicate receipts, one of which is to be retained in his own hands, and the other two to be delivered to the district attorney; one of them to be filed as his authority for giving the necessary credit on the bond, and for making the proper entry on the docket; and the other to be forwarded to this office, as the voucher upon which he is to be discharged from responsibility.

3. In like manner, you will give to the district attorney triplicate receipts for money which he may pay you from the delendant, in discharge of bonds in suit, and specify therein, particularly, the object for which the money is paid.

4. Whenever, after execution is delivered to the marshal, he shall pay you a part or the whole amount of the judgment, you will deliver to him triplicate receipts, that he may retain one himself, forward one as a voucher to me, and send the other with his regular return to the first auditor of the treasury to be filed in his office.

5. In compliance with the duty prescribed in the 4th section of the above mentioned act, whenever you shall cause a seizure to be made for the purpose of enforcing any forfeiture, you will, by the first mail, give information thereof to the solicitor of the treasury.

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Regulations to be observed by district attornies.

1. Whenever a bond shall be transmitted or delivered to you for suit by any collector, you will give him triplicate receipts, and "forthwith and without delay" institute suits against all the parties thereto. By the first mail afterwards, you will transmit information thereof to the solicitor of the treasury, together with a full and exact description of the date of such bond, the amount due thereon, the time when it became payable, and the names of all the obligors. I send you herewith printed forms of these returns.

2. In like manner, whenever a transcript of the account of any delinquent public officer, certified by the first or second comptroller of the treasury, shall be forwarded to you for suit from this office, you will immediately commence suit theron, and by the first mail give information thereof to the solicitor of the treasury.

3. You will, also, when any suit of action for the recovery of a fine, penalty, or forfeiture, shall be instituted, immediately transmit to this office a statement of such suit or action, specifying the name of the defendent, the cause of the action, and the time of its commencement, with such remarks as are necessary to the full understanding of the same.

4. Whenever any obligor of a custom house bond shall desire to discharge part or the whole of his debt, previous to judgment, you will request him to pay the money to the collector who delivered the bond for suit, and to take triplicate receipts therefore. Two of these receipts you will require him to deliver to you; one to authorize you to give him credit for the amount thus paid on the bond, and to be retained by you; the other you will transmit to this office, to serve as my authority for giving you credit, and discharging you from responsibility. If, instead of paying the money to the collector, as requested, he should make a tender of the whole amount due the government to yourself, you will receive the same; forthwith deposit it to the credit of the collector who delivered you the bond for suit, in the bank of the United States or an office thereof, or some other bank authorized to receive government deposites, and take triplicate certificates of such deposite from the cashier, designating the object for which the payment was made. One of these you will retain yourself; one you will transmit by the first mail to this office, as a voucher for your release from responsibility; and the third you will deliver, or forward by the first mail, to the collector from whom the bond was received. If there be no bank near, in which government deposites are made, you may, if more convenient, pay the amount to the collector who delivered the bond for suit, and take triplicate receipts from him, designating the object for which the payment was made. One of these receipts you will retain yourself; one you will transmit by the first mail to this office, as a voucher for your discharge from further responsibility; and the third you will forward by the first mail to the first auditor of the treasury, to be placed on file by him, and to be preserved as a check in the settlement of the collector's accounts. You will direct him to pay the costs to the marshal, and take duplicate receipts. On the defendant's delivering one of these receipts to you, in addition to the collectors receipts for, or the payment to yourself, of the whole amount due to the United States, you will make such entry on the docket as shall be necessary for the discharge of the defendant.

5. Whenever any defendant to a suit, other than upon a custom-house bond, whether for debt or a fine, penalty or forfeiture, is desirous of paying a part or the whole of the demand against him previous to the delivery of execution, you will request him to deposite the money, or such part thereof as belongs to the United States, in the bank of the United States or some office thereof, or some other bank authorized to receive deposites for the government, to the credit of the treasurer of the United States, take triplicate receipts or certificates of the cashier, designating the object on account of which the payment is made, and deliver two of them to you, upon which you will give him the necessary credit; and on his

producing to you, in addition thereto, the receipt of the marshal for costs, you will make, according to the circumstances of the case, the entry on the docket necessary for the security or discharge of the defendant. You will retain one of the certificates of deposite to the credit of the treasurer, and the other transmit to me by the first mail. On the receipt of it the necessary entry will be made upon the books of this office, to release you from responsibility.

If the defendant, instead of making deposite in bank as above mentioned, should make a tender of the whole amount due to the United States to you, you will receive it; forthwith deposite it in the bank of the United States or an office thereof, or some other bank authorized to receive the deposites of the government, to the credit of the treasurer of the United States, and take triplicate certificates of deposite of the cashier, designating the object for which the payment is made. One of these you will, by the first mail, transmit to this office, as a voucher for your release from responsibility; one you will send by the first mail to the auditor in whose office the transcript, on which suit was brought, was prepared; and the third you will retain yourself.

6. Whenever a suit shall be prosecuted to judgment, you will deliver execution to the marshal, unless there be, in your judgment, good reasons for delay, such as the hopeless insolvency of the defendant. Whenever execution is thus postponed, you will report the case to this office for instruction.—Whenever you deliver execution to the marshal, you will take duplicate receipts; one of them you will retain yourself, and the other you will send by the first mail to this office, as a voucher for your release from responsibility.

7. You will, immediately after the end of every term of the district and circuit courts, or of any state courts in which any suit or suits may have been instituted on behalf of the United States, forward to this office a statement (which the law requires to be certified by the clerk) of such cases as have been decided during the term, and such as are pending, together with all the information which may be necessary for understanding the true situation of each case. Your statement will be sent in two different forms; one to contain the suits brought on treasury transcripts; and the other on custom house bonds, and for fines, penalties, and forfeitures. Printed forms for these returns are herewith sent.

8 In all cases in which an appeal is taken, or a writ of error is sued out, you will cause to be transmitted to this office, with as little delay as may be, a transcript of the record, which you will examine with a view to ascertain that it is a faithful copy, and will accompany the same with a report of the argument of the cause in the court below, noting the points made and authorities referred to by respective counsel.

I take leave to call your particular attention to the 8th section of the act sent with the circular, by which, in addition to the return after each term, you are required to transmit to this office "full and accurate accounts of *all* causes and actions pending in the courts of the United States," in your district "in which the United States are plaintiffs, on the 4th day of July" of the present year, in such a manner as shall enable me to prepare an intelligible abstract of all such causes, showing the names of the parties in each suit, the cause of action, the time it accrued, the time of the commencement of the suit, and such other matters as may be necessary to full information to congress respecting the same. As this abstract must be laid before congress at the *commencement* of the next session, it is necessary that your return should be made on or before the 10th day of October next. The forms sent for your statement at the end of each term of court will answer the purpose of this report. Be pleased to state, in a very distinct manner, the cause of action, and let your observations in the column of remarks be full, so that the object and situation of each suit may be clearly understood.

Regulations to be observed by clerks of the circuit and district courts of the United States.

1. Hereafter you will forward to this office, within thirty days after the adjournment of each successive term of the district and circuit courts, respectively, of which you are clerk, a list of all the judgments and decrees which have been entered in the said courts, respectively, during such term, to which the United States are parties, showing the amount which has been so adjudged or decreed, and the costs, and stating the term to which execution thereon has been made returnable. You will divide the list into two parts, to be sent in two separate forms; one to contain the judgments rendered in suits brought on treasury transcripts; and the other on custom house bonds, and for fines, penalties, and forfeitures. I send you printed forms for those returns.

2. You will examine the statement required by the 3d section of said act to be made by the United States' attorney for your district, and, comparing it with the records in your charge, and finding it correct, you will thereto subjoin your certificate.

Regulations to be observed by marshals.

1. Whenever, before judgment, any defendant to a suit of the United States shall pay you the costs which have accrued, you will give him duplicate receipts, one to be kept by himself and the other to be delivered to the district attorney.

2. Whenever, in any suit in which the United States are plaintiffs, the district attorney shall deliver a writ of execution to you, you will give him duplicate receipts, in which you will state the names of the parties, the amount of the judgment and costs, with the time from which interest accrues; one of which receipts is to be left by him, and the other is to be transmitted by him to this office as a voucher, upon which an entry is to be made to release him from further responsibility and to charge you. You will, moreover, by the first mail, after execution in any case shall be delivered to you, transmit information thereof to this office.

3. Whenever the judgment has been rendered in favor of the United States on a custom house bond, and the execution has been issued and satisfied by the defendant, you will give him a receipt therefor. You will immediately thereafter pay over the amount of the judgment to the collector who delivered the bond for suit, and take triplicate receipts therefor, in which the parties are to be stated, and the amount of the judgment. One of these receipts you will keep for your own protection; one you will transmit to this office, as my authority for making such entry on its books as will discharge you from further responsibility; and the other you will transmit, with your regular accounts, to the first auditor of the treasury, to be filed as a check in the settlement of the collector's accounts.

4. Whenever execution shall have been delivered to you upon a judgment for any other causes than a custom house bond, and you shall have collected the money of the defendant, you will forthwith deposite the amount belonging to the United States in the bank of the United States, or one of its offices, which may be nearest to you, or any other bank, if nearer to you, which is authorized to receive government deposites, to the credit of the treasurer of the United States. You will take duplicate certificates of deposite from the cashier, designating the object for which the money is paid; one of which you will retain yourself, and transmit the other to this office, as the voucher upon which you will be discharged from further responsibility.

5. Hereafter you will make the returns, required by the 8th section of the act of May 15, 1820, for the better organization of the treasury department, to this office, in which you will state the proceedings which have taken place upon all writs of execution or other process, which have been placed in your hands for the collection of the money which has been adjudged and decreed to the U. States in said courts respectively. I send you printed forms for those returns. You will make these returns in two separate forms; one for executions issued on judgments in suits, brought on treasury transcripts; and the other on custom house bonds, and for fines, penalties, and forfeitures.

TREATY WITH PRUSSIA.

By the president of the United States of America.

A PROCLAMATION.

Whereas a treaty of commerce and navigation, between the United States of America, and his majesty the king of Prussia, was concluded and signed by their pleni-

potentiaries, at Washington, on the first day of May, one thousand eight hundred and twenty-eight, which treaty, being in the English and French languages, is word for word, as follows:

Treaty of commerce and navigation between the United States of America, and his majesty the king of Prussia.

The United States of America, and his majesty the king of Prussia, equally animated with the desire of maintaining the relations of good understanding, which have hitherto so happily subsisted between their respective states, of extending, also, and consolidating the commercial intercourse between them, and convinced that this object cannot better be accomplished, than by adopting the system of an entire freedom of navigation; and a perfect reciprocity, based upon principles of equity equally beneficial to both countries, and applicable in time of peace, as well as in time of war, have, in consequence, agreed to enter into negociations for the conclusion of a treaty of navigation and commerce, for which purpose the president of the United States has conferred full powers on Henry Clay, their secretary of state; and his majesty the king of Prussia has conferred like powers on the Sieur Ludwig Niederstetter, charge d'affaires of his said majesty near the United States; and the said plenipotentiaries having exchanged their said full powers, found in good and due form, have concluded and signed the following articles:

ARTICLE I.

There shall be between the territories of the high contracting parties a reciprocal liberty of commerce and navigation. The inhabitants of their respective states shall, mutually, have liberty to enter the ports, places, and rivers of the territories of each party, wherever foreign commerce is permitted. They shall be at liberty to sojourn and reside in all parts whatsoever of said territories, in order to attend to their affairs, and they shall enjoy, to that effect, the same security and protection as natives of the country wherein they reside, on condition of their submitting to the laws and ordinances there prevailing.

ARTICLE II.

Prussian vessels arriving either laden or in ballast, in the ports of the United States of America; and, reciprocally, vessels of the United States arriving either laden, or in ballast, in the ports of the kingdom of Prussia, shall be treated, on their entrance, during their stay, and at their departure, upon the same footing as national vessels, coming from the same place, with respect to the duties on tonnage, light-houses, pilotage, salvage, and the port charges, as well as to the fees and perquisites of public officers, and all other duties and charges of whatever kind or denomination, levied in the name, or to the profit, of the government, the local authorities, or of any private establishment whatsoever.

ARTICLE III.

All kind of merchandize and articles of commerce, either the produce of the soil or the industry of the U. States of America, or of any other country, which may be lawfully imported into the ports of the kingdom of Prussia, in Prussian vessels, may, also, be so imported in vessels of the United States of America, without paying other or higher duties or charges, of whatever kind or denomination, levied in the name, or to the profit of the government, the local authorities, or of any private establishment whatsoever, than if the same merchandize or produce had been imported in Prussian vessels. And, reciprocally, all kind of merchandize and articles of commerce, either the produce of the soil or of the industry of the kingdom of Prussia, or of any other country, which may be lawfully imported into the ports of the United States, in vessels of the said states, may, also, be so imported in Prussian vessels, without paying other or higher duties or charges, of whatever kind or denomination, levied in the name, or to the profit of the government, the local authorities, or of any private establishment whatsoever, than if the same merchandize or produce had been imported in vessels of the United States of America.

ARTICLE IV.

To prevent the possibility of any misunderstanding, it is hereby declared that the stipulations contained in the two preceding articles, are, to their full extent, applicable to Prussian vessels, and their cargoes, arriving in the ports of the United States of America; and, reciprocally, to vessels of the said states and their cargoes, arriving in the ports of the kingdom of Prussia, whether the said vessels clear directly from the ports of the country to which they respectively belong, or from the ports of any other foreign country.

ARTICLE V.

No higher or other duties shall be imposed on the importation into the United States, of any article, the produce or manufacture of Prussia, and no higher or other duties shall be imposed on the importation into the kingdom of Prussia, of any article, the produce or manufacture of the United States, than are, or shall be, payable on the like article, being the produce or manufacture of any other foreign country. Nor shall any prohibition be imposed on the importation or exportation of any article the produce or manufacture of the United States, or of Prussia, to, or from, the ports, of the United States, or to, or from, the ports of Prussia, which shall not equally extend to all other nations.

ARTICLE VI.

All kind of merchandize and articles of commerce, either the produce of the soil or of the industry of the United States of America, or of any other country, which may be lawfully exported from the ports of the said United States, may, also, be exported therefrom in Prussian vessels, without paying other or higher duties or charges, of whatever kind or denomination, levied in the name, or to the profit of the government, the local authorities, or of any private establishment whatsoever, than if the same merchandise or produce had been exported in vessels of the United States of America.

An exact reciprocity shall be observed in the ports of the kingdom of Prussia, so that all kind of merchandise and articles of commerce, either the produce of the soil or the industry of the said kingdom, or of any other country, which may be lawfully exported from Prussian ports in national vessels, may also be exported therefrom in vessels of the United States of America, without paying other or higher duties or charges of whatever kind or denomination, levied in the name, or to the profit of the government, the local authorities, or of any private establishments whatever, than if the same merchandise or produce had been exported in Prussian vessels.

ARTICLE VII.

The preceding articles are not applicable to the coastwise navigation of the two countries, which is, respectively, reserved, by each of the high contracting parties, exclusively, to itself.

ARTICLE VIII.

No priority or preference shall be given, directly or indirectly, by either of the contracting parties, nor by any company, corporation, or agent, acting on their behalf, or under their authority, in the purchase of any article of commerce, lawfully imported, on account of, or in reference to, the charter of the vessel, whether it be of the one party, or of the other, in which such article was imported; it being the true intent and meaning of the contracting parties, that no distinction or difference whatever, shall be made in this respect.

ARTICLE IX.

If either party shall, hereafter, grant to any other nation, any particular favor in navigation or commerce, it shall, immediately, become common to the other party freely, where it is freely granted to such other nation, or on yielding the same compensation, when the grant is conditional.

ARTICLE X.

The two contracting parties have granted to each other the liberty of having, each in the ports of the other, consuls, vice-consuls, agents and commissaries of their own appointment, who shall enjoy the same privileges and powers, as those of the most favored nations. But if any such consul shall exercise commerce, they shall be submitted to the same laws and usages to which the private individuals of their nation are submitted, in the same place.

The consuls, vice consuls, and commercial agents shall have the right, as such, to sit as judges and arbitrators in

such differences as may arise between the captains and crews of the vessels belonging to the nation whose interests are committed to their charge, without the interference of the local authorities, unless the conduct of the crews, or of the captain, should disturb the order or tranquillity of the country; or the said consuls, vice consuls, or commercial agents should require their assistance to cause their decisions to be carried into effect or supported. It is, however, understood, that this species of judgment or arbitration shall not deprive the contending parties of the right they have to resort, on their return, to the judicial authority of their country.

ARTICLE XI.

The said consuls, vice consuls, and commercial agents, are authorized to require the assistance of the local authorities, for the search, arrest, and imprisonment of the deserters from the ships of war and merchant vessels of their country. For this purpose they shall apply to the competent tribunals, judges, and officers, and shall in writing, demand said deserters, proving, by the exhibition of the registers of the vessels, the rolls of the crews, or by other official documents, that such individuals formed part of the crews; and, on this reclamation being thus substantiated, the surrender shall not be refused. Such deserters, when arrested, shall be placed at the disposal of the said consuls, vice consuls, or commercial agents, and may be confined in the public prisons, at the request and cost of those who shall claim them, in order to be sent to the vessels to which they belonged, or to others of the same country. But if not sent back within three months, from the day of their arrest, they shall be set at liberty, and shall not be again arrested for the same cause. However, if the deserter should be found to have committed any crime or offence, his surrender may be delayed until the tribunal before which his case shall be depending shall have pronounced its sentence, and such sentence shall have been carried into effect.

ARTICLE XII.

The twelfth article of the treaty of amity and commerce, concluded between the parties in 1785, and the articles from the thirteenth to the twenty-fourth, inclusive, of that which was concluded at Berlin, in 1799, with the exception of the last paragraph in the nineteenth article, relating to the treaties with Great Britain, are, hereby, revived with the same force and virtue, as if they made part of the context of the present treaty; it being, however, understood that the stipulations contained in the articles thus revived, shall be always considered as, in no manner, affecting the treaties or conventions concluded by either party with other powers, during the interval between the expiration of the said treaty of 1799, and the commencement of the operation of the present treaty.

The parties being still desirous, in conformity with their intention declared in the twelfth article of the said treaty of 1799, to establish between themselves, or in concert with other maratime powers, further provisions to ensure just protection and freedom to neutral navigation and commerce, and which may, at the same time, advance the cause of civilization and humanity, engage again to treat on this subject, at some future and convenient period.

ARTICLE XIII.

Considering the remoteness of the respective countries of the two high contracting parties, and the uncertainty resulting therefrom, with respect to the various events which may take place, it is agreed that a merchant vessel belonging to either of them, which may be bound to a port supposed, at the time of its departure to be blockaded, shall not however, be captured or condemned, for having attempted, a first time to enter said port, unless it can be proved that said vessel could, and ought to, have learned, during its voyage, that the blockade of the place in question still continued. But all vessels which, after having been warned off once, shall during the same voyage, attempt a second time to enter the same blockaded port, during the continuance of the said blockade, shall then subject themselves to be detained and condemned.

ARTICLE XIV.

The citizens or subjects of each party shall have power to dispose of their personal goods within the jurisdiction of the other, by testament, donation, or otherwise, and their representatives, being citizens or subjects of the other party, shall succeed to their said personal goods, whether by testament or *ab intestato*, and may take possession thereof, either by themselves, or by others acting for them, and dispose of the same, at their will, paying such dues only as the inhabitants of the country wherein the said goods are, shall be subject to pay in like cases. And in case of the absence of the representative, such care shall be taken of the said goods, as would be taken of the goods of a native, in like case, until the lawful owner may take measures for receiving them.—And if question should arise among several claimants, to which of them said goods belong, the same shall be decided finally by the laws and judges of the land wherein the said goods are. And where, on the death of any person holding real estate, within the territories of the one party, such real estate would, by the laws of the land, descend on a citizen or subject of the other, were he not disqualified by alienage, such citizens or subject shall be allowed a reasonable time to sell the same and to withdraw the proceeds without molestation, and exempt from all duties of *detraction*, on the part of the government of the respective states. But this article shall not derogate, in any manner, from the force of the laws already published, or hereafter to be published by his majesty the king of Prussia to prevent the emigration of his subjects.

ARTICLE XV.

The present treaty shall continue in force for twelve years, counting from the day of the exchange of the ratifications; and if twelve months before the expiration of that period, neither of the high contracting parties shall have announced, by an official ratification to the other its intention to arrest the operation of said treaty, it shall remain binding for one year beyond that time, and so on, until the expiration of the twelve months which will follow a similar notification, whatever the time at which it may take place.

ARTICLE XVI.

This treaty shall be approved and ratified by the president of the United States of America, by, and with, the advice and consent of the senate thereof, and by his majesty the king of Prussia, and the ratifications shall be exchanged in the city of Washington, within nine months from the date of the signature hereof, or sooner, if possible.

In faith whereof the respective plenipotentiaries have signed the above articles, both in the French and English languages; and they have thereto affixed their seals declaring, nevertheless, that the signing in both languages shall not be brought into precedent, nor in any way operate to the prejudice of either party.

Done in triplicate at the city of Washington, on the first day of May, in the year of our Lord one thousand eight hundred and twenty eight; and the fifty second of the independence of the United States of America.

Signed,

H. CLAY,
LUDWIG NIEDERSTETTER.

And whereas the said treaty has been duly ratified on both parts, and the respective ratifications of the same were, this day, duly exchanged, at Washington, by James A. Hamilton, acting secretary of state of the United States, and the sieur Ludwig Neiderstetter, charge d'affaires of his majesty, the king of Prussia, on the part of his said majesty.

Now, therefore, be it known, that I, Andrew Jackson, president of the United States of America, have caused the said treaty to be made public, to the end that the same, and every clause and article th reof may be observed and fulfilled with good faith by the United States and the citizens thereof.

In witness whereof, I have hereunto set my hand and [L. S.] caused the seal of the United States to be affixed. Done at the city of Washington, this fourteenth day of March, in the year of our lord one thousand eight hundred and twenty nine, and of the independence of the United States the fifty third.

ANDREW JACKSON.

By the president:

JAMES A. HAMILTON, *acting secretary of state.*

NILES' WEEKLY REGISTER.

FOURTH SERIES. No. 2—VOL. III.] BALTIMORE, SEPT. 4, 1830. [VOL. XXXIX. WHOLE No. 990

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES & SON, AT $5 PER ANNUM, PAYABLE IN ADVANCE.

☞ *See Postscript—revolution in France—page 19.*

BALTIMORE AND OHIO RAIL ROAD. We do not wish every week to have a paragraph under this head; but the public generally have a deep interest in many things that are happening in this great work, and we feel it our duty to keep our account of them "posted up," with as much brevity as will admit of perspicuity.

On Saturday last the main key stone of the arches of the fine granite structure, passing over the Frederick turnpike road, &c. at Ellicott's mills, was adjusted, in the presence of the directors of the company and many citizens, assembled to witness the ceremony. Our valued fellow citizen, *Robert Oliver*, was called upon, by the master-builder, to assist in adjusting the stone—after which the president of the company, *Philip E. Thomas*, addressed the spectators in the following happy manner:

"*Fellow Citizens!* The directors of the Baltimore and Ohio rail-road company having deemed it advisable to dignify the several most important structures upon the road by the names of those citizens under whose influence and patronage this great work has been sustained, the first viaduct was honored with the name of the oldest and most revered of our citizens—the LAST SURVIVOR of that illustrious band who signed the instrument which declared us an independent nation. To the second was assigned the name of a liberal, patriotic and highly esteemed fellow citizen, William Patterson. The noble edifice of which we have just witnessed the completion, I have been instructed to designate by the name of a fellow citizen not less distinguished for his liberality, public spirit, and generous support of the magnificent enterprise in which we have embarked: This structure will accordingly hereafter be distinguished by the name of the OLIVER viaduct.

"At the request of the builder, I avail myself of the present occasion to return his thanks to the several mechanics, artizans and laborers, who have aided him in this work by a most faithful and efficient co-operation in their respective departments; and I am further requested to return his thanks to the rail-road company for their liberal support, by which he has been enabled to execute his contract within the time limited.

"It is also at his request that I now return his thanks to the inhabitants of this neighborhood, for the kind indulgence accorded to him in every instance where their forbearance and aid were called for; and he likewise desires me to make his grateful acknowledgments to the Baltimore and Frederick turnpike road company, for the very liberal privileges granted to him by their president and directors, during the time he found it indispensable to occupy their road.

"It is with the highest satisfaction that I bear testimony to the orderly and correct conduct of the persons who have been employed in constructing this work, not a single complaint having ever in any instance reached me against them; and I have much gratification in being enabled to add, that not one drop of spirituous liquors, within the knowledge of the builder, has been served out to the labourers employed in constructing this viaduct; nor has a single accident occurred to any individual employed in its erection."

This viaduct was commenced on the 18th May. It consists of three massy arches of granite, of 20 feet span each, one over a small stream and two over the turnpike road. The wings extend a considerable distance, and the whole length of the viaduct is 123 feet; its width on the top 26 feet. It is a beautiful specimen of architecture, planned by Mr. Wever, the superintendent of the road, and executed by Mr. Simon Frieze. It presents a rusticated, or undressed front, which has a very pleasing effect. The Tarpeian rock, which it nearly joins at its western extremity, is rapidly passing away. Thirteen miles beyond it will soon be ready for use.

Twenty-four of the persons who witnessed the ceremony, were taken to the spot by Mr. Cooper's locomotive engine—the whole weight moved being about 4½ tons. The thirteen miles were made in 61 minutes, including four lost in taking in water, on the return—4 additional passengers, (30 in all) being added. One of the miles was performed in 3 *m.* 50 *sec.* This engine is yet new—and many improvements have already suggested themselves to Mr. Cooper. The *curved lines** appear to have been passed over without danger, and the track was changed without much delay. The passage out occupied 1 *h.* 15 *m.* In part of the road, the ascent is 18 feet in a mile. Mr. Winans, lately returned from England, who witnessed the performance of Mr. Cooper's engine, speaks very highly of it, and of the road. Mr. W. is the inventor of the friction wheels—he has seen all the roads, &c. in England, and his opinion is entitled to much respect.

OLD FASHIONED DOCTRINE. The Charleston Courier gives us the following preamble to an act of the legislature of South Carolina, to incorporate the Homespun company, in 1808. We might find hundreds of like things, and especially in the south, when it was *fashionable* to talk about the independence of the United States.

"*Whereas*, The establishment and encouragement of domestic manufactures is conducive to the interest of a state, *by adding new incentives to industry, and as being the means of disposing, to advantage, the surplus productions of the agriculturist*—And, Whereas, in the present unexampled state of the world, *their establishment in our country is not only expedient, but politic, in rendering us independent of foreign nations.* Be it enacted, &c."—*Vide Brevard's Dig. vol. 3, p. 210.*

☞ The following extract from WASHINGTON'S speech to both houses of congress, in 1796, probably had some effect to induce the passage of the act above referred to—for it repudiates the idea of being "*dependent on foreign supply!*"

"Congress have repeatedly, and not without success, directed their attention to the encouragement of manufactures.—*The object is of too much consequence, not to ensure a continuance of their efforts, in every way which shall appear eligible.*—Ought our country to remain dependent on foreign supply, always precarious, because liable to be interrupted!"

But WASHINGTON is *out-of-fashion.* He advised us to "frown indignantly" on such treasons as those of the mad-caps of South Carolina. But let them go on. We ask not *their* forbearance.

"THE WEST INDIA TRADE." There is a feverish anxiety for an opening of the British West India ports, which it is difficult to account for on any rightful principle. If—(and we say IF,) they shall be opened on liberal terms, the proceeding may benefit the lumber-exporting states, and take off some small additional quantity of live stock; but we cannot believe, unless the public documents deceive us, that the general benefit of the people of the United States will be in the least degree promoted—that one dollar's worth will be steadily added to the value of commodities exported to the West Indies at large. The *official returns* shew a value exported to *the* West Indies, neither increased nor diminished, because that the British ports are, or were, open or shut. It may be the interest of Britain to close them, to *force* the navigation of her North American colonies—but that our interest will be promoted by opening them, is not admitted by many *practical* men whom we have consulted. The British islands are at present supplied with *all* the American flour, &c. that they will take, through St. Tho-

*This is attributed to the use of a cone on the wheels—introduced by the chief engineer, Mr. Knight.

mas, St. Bartholomew, and other "free ports," as they are called—and to these free ports the flour, &c. is almost exclusively carried in *American vessels*—and so a *freight* is earned; but the British ports being opened, a large part of these supplies will be carried direct in British vessels, and we shall lose a proportionate part of what is now the earnings of our navigation—and further, the present American shipper, by meeting the dealers from the British islands at St. Thomas, &c. has a greater *discretion* as to what he will receive in exchange for his merchandise. He may have produce or specie,—but in sending direct to Jamaica, it is probable that he will be compelled to take certain *selected* kinds of produce.—We are *really* "friends of free trade," and will greet a *free* and *full* opening of the British West India ports—AN HONEST RECIPROCITY; but, loaded as the opening has been heretofore, we stand wholly indifferent to the subject, unless as it shall affect our navigation.

The following "important" intelligence was thus announced—

Office of the Philadelphia Gazette,
Philadelphia, Aug. 28, 1830—11½ *A. M.*
Important.—The West India trade.

Several letters have been received in town of a tenor similar to the following. The intelligence is credited here, and we believe we may venture to congratulate our farmers on the prospect of an additional demand for their produce, and our merchants on the prospect of a widening of the scope of commercial enterprise.

Extract—New York, yesterday 2 *o'clock.*

Private letters by the Caledonia have just reached the city, to a highly respectable house, announcing the opening of the West India ports to the American flag.

Half past 2 *o'clock.*—I open this to confirm the above.

Here is the 4th of Sept. and as yet no body else has heard of the "important" matter sent forth from the "office of the Philadelphia Gazette." How strange, that a matter so "important" should have no corroborating fact at *New York*—at which port the Caledonia arrived, and two other later vessels. We have had fifty like reports before. *For what?*

FLOUR. Because of a few late rains in England, we noticed some small stir in the flour market. The arrival of the Caledonia, at New York, renewed a little the sluggish speculation, and some scanty sales have been made at 6 dollars per barrel. The last average price of wheat in England was fixed at 67*s.* 2*d.* per quarter—duty 18*s.* 8*d.* equal to 11*s.* 2¾*d.* on a barrel of flour—say two dollars and seventy-five cents. But the weather had become more favorable, and, as the average price shall be reduced, the duty will rise! If wheat is 72*s.* per quarter, or, say, 9*s.* per bushel, the duty is only 1*s.* The latter advances as the former retires, until, if wheat be worth only 50*s.* the quarter, say 6*s.* or about a *dollar and a half a bushel*, the *duty on a barrel of flour is* 26*s.* 11*d. equal to* 598 *cents—six dollars*—or, at the present difference in the value of English and American moneys of account, six dollars and a half for duty only. Is'n't this "free trade?"

☞A certain person in New York has suggested a subscription to purchase provisions for the relief of the starving people of Ireland—and surely their condition is terrible. But let the *government* and *priests* of that country look to it. We have no notion of assisting the revenue of either, by donations for the relief of the poor! Suppose certain generous persons were to *give* 10,000 barrels of flour, for the purpose stated—the duty on it, costing say 50,000 dollars, would be nearly 50,000—and a large part of whatever relief to the poor which it might afford, would pass into the scanty means of the miserable people to pay the *church rates*, and fatten the priests of the "national religion!" If two or three of these, who hardly preach one sermon in a year—who, indeed, are seldom found in Ireland, (spending their ill-gotten revenue in England), were to behave like honest men for *one* year, only, and give up that which they have not earned, they might supply more food than the charity of the world, though highly excited, would furnish. *Three* of them could thus assist to the amount of not less than 75,000 barrels of flour—and their example might induce others of "the cloth" to slacken their griping fingers a little—and feel that they should be the pastors of their flocks—not ravening wolves, to prey upon them.

The latest Liverpool quotations were 32*s.* per barrel for flour, in bond—say 7.75; the duty on the consumption about 2.75—being only *five dollars* per barrel, as the cost of the flour, its freight, &c. &c. This affords no good speculation!

The price has nearly fallen back at New York, Philadelphia, &c.

MR. CLAY'S SPEECH AT CINCINNATI. As this speech is strictly in the character of such articles as have been published in the REGISTER from its beginning, we have postponed many things, that it might have the interest of a prompt insertion. Nominated, as he has been at many meetings of the people, for the first office in their gift, and the most honorable one in the world—it is highly important that his opinions, on great national subjects, should be fully understood; and this speech was manifestly designed to proclaim them. We suppose that it may be called the "platform" on which he stands. The people will determine whether or not it is sufficient to sustain him, in the political contest already commenced, and about to assume a full degree of fervency; yet, we hope, with a moderated feeling, and a more earnest desire to respect *principles* than has sometimes been shewn in party times. "Errors of opinion may safely be tolerated when reason is left free to combat them."

The "nullifiers" have recently occupied much space in the REGISTER—Mr. Clay's remarks on the doctrines avowed by them, are uncommonly powerful; and better, far better, they are constitutional—in strict conformity with the "Farewell address of the Father of his country," WASHINGTON, and the recent speech of the last of the revolutionary generals, the truly illustrious LAFAYETTE, delivered when celebrating the recent anniversary of American Independence at Paris. But what are the opinions of WASHINGTON and LAFAYETTE, or the father of the constitution, MADISON, when compared with those of the three *Englishmen* who are lashing South Carolina into an *alliance* with John Bull?—to reject the "star-spangled" eagle-banner, and "*repose*" under that of the "lion and the unicorn?"

FALL OF ALGIERS. Regarding the capture of this famous and ancient nest of pirates, by the French, as one of the most important events in the military history that has happened for a considerable time, we have given the official papers at length. They are highly interesting, and will be often referred to. France deserves great credit for this undertaking; and Bourmont appears to have managed the important trust committed to him with much ability. This army is thought to have been by far the best fitted of any that ever departed from Europe.

The question, "what course will France now pursue as to Algiers," is much discussed. We hope that she will retain the possession. It may have effect to injure us, in certain respects, but the good of mankind will surely be advanced by firmly planting the standard of civilization in benighted Africa. Some of the English papers are very liberal on this subject, and express a hope that such proceeding will not be viewed with jealousy by the British government, having a great naval superiority, and possessing Gibraltar, Malta and Corfu—but a letter, dated Paris, says—

"Paris is filled with reports respecting misunderstandings between the governments of France and England, with regard to Algiers. It is, however, stated here positively, by persons who must know, that no note has been presented to the French government by the British ambassador. No alarm is felt with regard to the intention of either party, but some is felt with respect to the manner in which the papers have taken the matter up. The minister for the United States did not attend at the *Te Deum*, in consequence of the close connection existing between his government and the dey of Algiers."

We pay not much respect to this letter because of its latter clause. The "close connection" between the U. S. and Algiers, did *not* prevent the attendance of our minister. He, no doubt, thought it was a matter in which it has long been the settled policy of our country

not to interfere. We think, however, that until Great Britain shall retire from the strong places that she holds in the Mediterranean, a French ministry; that shall give up Algiers, ought to be punished as traitors.

A French ministerial paper says: "It is said that the cabinets of France and England have just forwarded to each other diplomatic notes of the highest importance, in regard to the occupation of Algiers by France." "If the new monarch of England, (says the paper), shares the prejudices and political jealousy of old John Bull, we have also a prince who has inherited the goodness of Henry IV. and the high character of Lewis XIV."

Another paper asserts, that the British ambassador has declared that his government would oppose any establishment on the coast of Africa; and that he has required a decisive answer in the course of ten days.

RIGHTS OF CHEROKEES. We have a statement of the case, with the opinion of Mr. Wirt, late attorney-general ol the United States, "*on the right of the state of Georgia to extend her laws over the Cherokee nation.*" Mr. Wirt's opinion is against the right—and that he has powerfully maintained it, will be anticipated by every one to whom his character is known. We shall give it a place; and, according to our custom, make room for any similar article that shall appear on the other side—which, we suppose, may be expected from the attorney-general of the state of Georgia.

THE INDIANS. *Franklin, Ten. Aug.* 11. At about 12 o'clock, to-day, the president of the United States, accompanied by general Coffee, arrived at the residence of the honorable J. H. Eaton, in this place. It is understood he will return home in a few days, and be here again on the 20th, to meet the Chickasaw delegation, which, by the following letter, it seems, will be here at

Chickasaw council house, Aug. 5.

Honorable JOHN H. EATON:

Dear Sir: I am authorized by the national council of the Chickasaws, to say, they will meet the president on the 20th, by a delegation of chiefs and principal warriors, clothed with power to exchange lands, &c. I am, respectfully, your servant, F. FOSTER.

It is thought the other tribes invited will also be here shortly, but nothing has yet been heard from them.

☞ The Choctaws have offered to the president of the United States, through an agent, to part with their lands, and migrate beyond the Mississippi, provided the general government should "give the nation one million of dollars, and allow *each man one section of land to sell,* and buy all our cattle at six dollars a head, hogs at two dollars a head, or give us the same number after we had got west; and give us arms and ammunition plenty, and provisions on our way to our new home, and also one year's provision after our arrival there, and *guaranty that country to us* and our posterity forever, and *lay it off into a state,* and so soon as our population became great enough, allow us to send members to congress, and be received into the union, as one of the other states in the United States." If the reader will cast up these items, (says the National Intelligencer), placing the land demanded for sale, only at its minimum value, the demand is for a gratuity of something like *twenty millions of dollars,* besides a vast territory and a guaranty of political privileges beyond the Mississippi—at this rate it would cost the United States, besides the vast territory given in exchange, a boot of full fifty millions of dollars, to induce some forty thousand Indians to remove to the new country. The object is desirable—but there is such a thing as paying too dear for it.

COTTON. *Liverpool, July* 17. The sale of cotton today amounts to 2,500 bags. The import this week is 13,227 bags, and the sales are very extensive, reaching 34,390 bags (including 4,000 Americans and 1,500 Brazils, taken on speculation) at a further advance generally of 1-8 to 1-4*d.* per lb. comprising 460 Sea Islands at 13*d.* to 15½*d.*; 320 stained do. at 7*d.* to 10*d.*; 8,390 boweds at 6 3-8*d.* to 7½*d.*; 4,830 Orleans at 6 5-8*d.* to 8½*d.*; 10,250 Alabamas and Mobiles at 6 3-8*d.* to 7 3-8*d.*; 2,950 Pernams at 8 1-8*d.* to 9*d.*; 2,400 Bahias and Maceios at 7 7-8*d.* to 8¼*d.*; 2,490 Maranhams at 7½*d.* to 8¼*d.*; 150 Demeraras at 8*d.* to 9*d.*; 40 Surinams at 9*d.*; 220 Barbadoes at 7*d.*, 150 Bahamas, &c. at 7*d.* to 10*d.*; 150 common West Indies at 5¾*d.* to 6½*d.*; 940 Egyptians at 8¼*d.* to 10¼*d.*; 620 Surats at 4 7-8*d.* to 5½*d.*; and 20 Bengals at 5¼*d.* per lb.

NAVAL. The U. S. ship Warren, master com. Skinner, arrived at Norfolk on Monday last, from a long cruise in the Mediterranean—all well. The Warren felt the severest gale ever experienced by any seaman on board, a few days before her arrival, and had some of her smaller spars and sails destroyed.

The 4th of July was celebrated on board the U. S. frigate Hudson at sea—off the coast of South America. The crew had a good dinner, with sea-pie and plumb pudding, and were served with an extra glass of grog.

NEW YORK. We have already noticed the nomination of Messrs. Granger and Stevens, by the anti-masonic convention at Utica, for the offices of governor and lieut. governor of New York—which nomination they have accepted. The working men's convention has since been held at Salina, at which Erastus Root and Nathaniel Pitcher, were nominated for the same offices, "by acclamation," and as opposed to "the regency." We shall soon have the nomination of "*the* republican party" at Herkimer, and then the triangular war will commence—with what result, no one may certainly predict.

WESTERN ELECTIONS. We are yet without information to determine the political results of the elections in Indiana, Illinois, Missouri and Mississippi. The returns come in slowly, and the preferences of individuals are not distinctly stated, on either side.

POSTSCRIPT.

IMPORTANT, INDEED! We stop the press, after the greater part of our impression is finished, to say that—

A vessel has arrived at Boston bringing positive intelligence that the king had already *dissolved the new chambers* and *suspended the laws concerning the liberty of the press;* that he had also *altered the laws respecting elections:* in consequence the *stocks fell,* and a *mighty excitement prevailed.*

And the ship Hibernia, being telegraphed off New York at 2 o'clock on Thursday last, reports a *revolution in France*—that *Lafayette heads the national guards,* who had had a *battle with the king's troops,* in which the latter had lost *six thousand men.* There is every reason to believe the truth of this report.

FOREIGN ARTICLES.

British affairs.

Parliament was to be prorogued on the 23d, by the king in person, and dissolved the following day, by proclamation. Great interest and much discussion were excited in regard to the approaching elections.

The beer bill has passed both houses of parliament.

The London papers publish the message of president Jackson to congress relative to the colonial trade, without comment.

Seats in the new parliament have been *sold* for £1,500, per session, which is thought a better bargain than giving the market price, namely, 5,000 guineas, *for the whole parliament!*

There was a feeble display of party spirit in Ireland, on the 12th July, the Orangemen's anniversary. The government discountenanced it, and in several places the local authorities succeeded in putting down Orange processions, &c.

In the house of commons, a motion had been made by Mr. Brougham, to take into consideration the most effectual means of mitigating the state of the slaves in the British colonies, and finally of abolishing slavery altogether. It was lost by a vote of 56 to 27. In the course of a discussion in the house of commons on the 13th, a fact of some interest to this country was incidentally mentioned by sir Robert Peel. He observed—

"There was at this moment travelling through the North American colonies, a gentleman extremely well acquainted with the wants of a new colony, and possessed of great experience in the matters necessary for establishing a settlement, who was directed to report observa-

tions to the government, with a view of enabling them to discover whether some well arranged system might not be adopted at once to relieve the population at home, and to benefit the colonies where the transfer of an industrious population would be an advantage to them. When that gentleman should have made his report, he hoped it would be found that some measure could be adopted for framing a system of emigration on the principle recommended by his right hon. friend.—Till that could be done, he thought they would not be really meeting the distress of the country, nor the wants of any of the colonies, by sending out hundreds of settlers, for whom no previous preparation had been made."

In the house of commons, on the 7th July, Mr. Peel, in answer to a member who inquired whether the negotiations with the United States, with respect to the colonies, has been brought to a conclusion—observed that negotiations were pending between his majesty's government and the United States on the subject, and that they had not as yet been brought to a final conclusion.

The bishop of Bangor died on the 9th July. Four Catholic barristers have been appointed members of the king's counsel in Ireland. The king, accompanied by his wife, has resolved to visit Scotland and Ireland.

The heavy rains in England have done much injury to the crops. The hay harvest had been materially damaged.

The distress in Ireland is much spoken of in our English papers, and seems to be both poignant and general. As a sample of the miserable state of want and famine which the Irish people are experiencing, we find it mentioned, that in the town Kanturk, out of a population of 28,000 persons, no fewer than 12,000 are enrolled as paupers. The details given of the extremity of sufferings which they endure are heart-rending. Instances have taken place "of persons having bled the cattle for the purpose of subsisting on the blood, of families having lived for weeks on the coarse leaves of cabbage and on the leaves of the field, without any other food; and in consequence, the poor creatures may be seen in the streets with sunken eyes, haggard and emaciated countenances, exhibiting a mixture of yellow and green, that seems to vie with the unwholesome aliment on which they contrive to drag out a miserable existence." It is affirmed, that many persons had not eaten three full meals a week for a long time.

The parish priest of Kilmore, in Ennis, Ireland, has arrived at Liverpool to solicit assistance to keep the people from starving, and he obtained twenty-five pounds! It is stated, that fifteen thousand persons have *nothing* to eat but shell-fish—the old crop of potatoes being exhausted, and the new one not ready to supply them.

The late king's character seems about to be freely spoken of in the British papers.

Scotland has severely suffered by inundations—much growing grain was destroyed.

In the account of the London fruit market, peaches are quoted on the 17th July, at from 10s. to 24s. sterling per dozen; or from 19 to 44 cts. a piece! Asparagus at from 33cts. to one dollar a bunch.

A full account of the things which happened at the interment of the late king, would fill eight or ten of our pages. We shall partially notice some of them—to gratify the public curiosity.

The forgery bill—to render the crime not capital, except in certain cases, has failed in the house of lords.

The duke of Sussex appears to be in favor with his brother, the new king—a condition in which he had not been placed in either his father's or his elder brother's reign.

A great quantity of new sovereigns has been issued from the bank for the payment of the dividends.—This exhibits no apprehension, on the part of the directors, of a decline in the exchanges, all of which are higher. Gold, in fact, bears no premium sufficient to warrant the traffic in it, either at Hamburgh, in Holland, or any other part of the continent.

The late king made no will, and the whole of his immense wealth and effects will, therefore, either vest absolutely in his successor, or be enjoyed by his present majesty, as the property of the crown. [The late king might well be rich—for he cost the nation immense sums to support him, and *also*, pay his debts.] A subsequent account says that he left a will, and intimates that its provisions will not do honor to his memory.

The present king is (though the fourth king William of England), the *first English king* of his name: William I. and II. being Normans, and William III. a Dutchman.

It would seem from the court journal, that king William IV. is courting popularity by the most broad and sycophantic gratification of national prejudice.—He declares that he will not only be surrounded by Englishmen *exclusively*, but by persons *looking like Englishmen*. Accordingly he has dismissed all foreigners, even to the German band, and commanded the discontinuance of *mustachois* in the army.

Their royal highnesses, the dukes of Cumberland and Sussex, have been the first to testify their respect to his majesty's wishes, by getting rid of their mustachois.

[What will become of our old and young dandies who have so much *cultivated* pairs of whiskers because they *were* fashionable in England? The servile imitation that induced this *bristley* proceeding, will soon cause them to be submitted to the desolation of *Pompey's* well-sharpened steel. If saved, they will answer well for stuffing matrasses—being already "curled hair."]

A late London paper says—We understand that the uniform of the whole army is to be assimilated; that the Hussar regiments will be made light dragoons, changing their color from blue to red: even the artillery are to adopt a scarlet uniform. This arrangement will impart a more regular and national appearance to the British line, which has hitherto exhibited a very party-colored character in the field.

The total number of stamps used by the London newspapers in the year 1829, was 17,195,279.

We have a long list of appointments in the "royal household." The king's son, col. Fitzclarence, by Mrs. Jordan, has received a valuable place. The ministry remained yet untouched—though much was said about changes.

French affairs.

The result of the French elections, already decided, is as follows:—Opposition, 199; ministerial 123, of the Lorgeril party 11. Of the 221, who voted for the hostile address in the last chamber, 141 have already been re-elected.

By an official report of the French revenue, during the last half year, there has been an increase of 1,337,000 francs, compared with the receipts in the same period in 1828; and of 10,863,000 francs, as compared with the returns of last year, which is considered very remarkable.

The Drapeau Blanc, thus accounts for the loss of the elections:—

"The clowns are rich, and the gentlemen are not electors. This is the reason why the elections proceed so badly; but when it comes to the firing of musketry, we shall see on which side the majority will be." [The "firing of musketry," to controul the votes of the people, and the opinions of their representatives!]

It is intended to introduce the camel into the south of France. Several of the principal proprietors of the departments des Landes, being apprised of the views of government in this respect, have offered to contribute all their efforts towards naturalizing this animal amongst them, which is likely to be so useful in this country.

Miscellaneous.

The Greeks are in a state of great anxiety and distress. The insurrection of the Albanians threatens a casting off of the Turkish yoke. An agent of the house of Rothschild was at Pera (near Constantinople) negotiating a loan to the sultan—it was supposed that Russia would guarantee the payment. Subsequent accounts say that the terms had been arranged for eight millions of ducats. This is a new and strange event in the annals of Turkey. The affairs of the sultan appear much deranged, and respect for his authority seemed rapidly on the decline.

A small insurrection has broken out in Spain—proclaiming Don Carlos king. Portugal remains in a most gloomy state.

A letter from Diest (Netherlands) says, that, on the 30th of June, at eleven at night, the dome of the church of Notre Dame fell down, with a dreadful crash. This church was built in 1130. If the accident had happen-

ed during the day, above 100 persons would have perished. An altar is destroyed, and several pictures and statues are among the ruins.

Gen. Guerrero is still in arms, and has a considerable force in Mexico. To the south of the capital, he is robbing and sacking villages. We are sickened with the convulsions—the increasing contentions of *generals* in the new American republics, and disgusted with the foolish people, who do not put them down. Liberty may be won by the sword, but is never enjoyed under its dominion. An armed people and an unarmed magistracy is the only security for freedom.

Later news—London papers of the 20th July.

The prospects of the harvest in Ireland (in opposition to the last reports) are now said to be "most alarming," and because of the late heavy rains in Scotland, it is feared that the oat and potatoe crops will be nearly destroyed, in many large districts. *Yet, the demand for foreign grain had rather declined, and there is a large quantity of bread-stuffs in bond, waiting a rise in price, that the* DUTY *may become moderate!*—but rice, "in bond," commanded from 16*s.* 6*d.* to 17*s.*

The majority of the liberals in the French chamber of deputies, it is said, will be not less than ninety—the chamber was dissolved because there was a majority of 40 against the king and his ministers. What will be done, now? The capture of Algiers has had no effect on the politics of France. The king is in a state of much perplexity and no small difficulty. Some predict important events.

It is said that 1,500 pieces of brass cannon, 30 vessels of war, frigates and corvettes, &c. with a great supply of munitions, with fifty-five millions of francs, in money, fell into the hands of the French at Algiers. That city is said to be in a very quiet state. The French found many *bales of cotton* outside the parapets of Fort Emperor. It is computed that 18,000 cannon balls were fired on the 3d July from the fleet and the batteries. The Arabs were bringing large supplies of provisions into the French camp.

French 5 per cents, July 17, 105 50—four's 99½.

Latest news—London papers of 23rd July.

King William, in person, and with much ceremony, attended at the house of lords, and ascended the throne on the 23rd July. The house of commons being summoned, the speaker addressed him, and presented sundry bills—after which the king delivered a speech to both houses, and prorogued the parliament, &c.

Before the king entered house of lords, the inspection of the vaults were made, as usual, ever since the days of *Guy Fawkes*.

Sir Robert Wilson has been restored to the rank of lieut. general, which he held in 1821, when he was dismissed from the army in consequence of his conduct at the funeral of the late queen Caroline.

Ireland is filled with crowds of people begging food—the "images of famine and disease."

Much anxiety exists in France because of expected differences between the king and the chamber of deputies. "Revolutionary principles" are spoken of—and they are also said to abound in Spain.

We have further accounts from Algiers—all quiet in the city. The Jews, who are numerous, are much pleased with the change of government. The late dey and his family had arrived in a French frigate at Mahon. He is reported a "prisoner."

FALL OF ALGIERS.

"To his excellency the president of the council of ministers.

"Camp before Algiers, July 1.

"*Prince*,—The plan of attacking the enemy before Algiers, on the 29th, at day-break, was executed; but the measures which had at first been taken received some modifications in the three divisions of the army. The ardor and the zeal are the same in all—I thought that the honor of fighting should be equally divided:—The attack of the right was intrusted to the 2d and 3d brigades, of the divisions of Berthezene; that of the centre to the 1st and 3d brigades of the division of Loverdo. The duke d' Escars received orders to attack on the left with the first two brigades of his division, and to follow nearly the line of separation, between the two ravines which run to the east and west of Algiers. It was on this side that the enemy had assembled his greatest force. The brigades of Berthier and Hurel used in the attack as much vigor as they had showed constancy and coolness in the defensive position which they had occupied on the preceding days. Being broken by them, the enemy did not wait the shock on the other points, and on all sides they took to flight.

The division of Berthezene changed its direction, and proceeded to occupy the crest of the heights which rise between the sea and the point of attack of the division of d'Escars; these heights command all the neighboring country. General Loverdo marched towards the emperor's fort, and took advantage of the nature of the ground to establish two battalions at less than 400 metres (140 yards) from that fortress, and upon one of the declivities of the plateau which commands it; the duke of d'Escars immediately approached the emperor's fort, in order that the two brigades might be enabled to combine the very next night in opening the trenches. Although the height of the most elevated point of the hills which surround Algiers is not above 200 metres, the varieties in the face of the country are strongly marked; the depth of the ravines, the extreme steepness of their banks, the trees and hedges with which the soil is entirely covered, rendered the marches of the second and third division long and fatiguing.

In the action of the 29th we had 40 or 50 men killed or wounded. The enemy left many dead on the field of battle: A flag and five pieces of cannon were taken.

The greater part of the European consuls were at a short distance from the field of battle, assembled with their families in the house of the consul of the United States. I gave orders for ensuring their safety. All agree in saying that since the action of the 14th the militia has sustained considerable losses, and that the army which attacked us on the 19th contained at least 50,000 effective men. Several hundreds of Jews, whom the dey had driven from Algiers, were found scattered about the gardens. They were left at liberty.

Even during the night which followed the action, general Valaze traced the first work, at about 250 metres from the emperor's fort; the soldiers, notwithstanding the fatigues of the day, labored at them with ardor. Several batteries have already been begun; it is probable that they will be mounted with artillery in the night of the 2d and 3d of July, and that on the 3d, at day-break, 26 heavy cannon will open at once.—Three hours after, the fire of the fort will be silenced. The fall of Fort Barbazoune will follow close upon that of the emperor's fort; upon which all the batteries raised on the country to the east of the town must speedily fall into our hands. Every thing gives reason to think that, after making ourselves masters of them, we shall be able to bring the point of disembarkation nearer to our camp.

This camp is established in the midst of gardens, whose shade astonishes those who are accustomed to consider Africa as a country almost entirely destitute of vegetation. Each garden has wells, whose cool and clear water is sufficient for the wants of the army. Little rivulets, enclosed in conduits, will serve also to supply water for the men and horses.

The temperature is high for eight hours in the day. In the evening the air is cool, and even damp. Some soldiers are attacked with dysentery, but this disease does not appear of a serious nature.

I entreat your excellency to request the favors of the king for M. d'Albenas, lieutenant-colonel of the 30th regiment of infantry of the line; and for M. Chambaud, chief de battalion of engineers. The first, on the 27th, had his left arm much contused by a ball, but he refused to leave his corps; on the 29th he received another wound. M. Chambaud was wounded from a biscayan (long firelock) some hours after the opening of the trenches; he is an officer of great distinction. I have the honor, &c.

Lieut. general, Peer of France, commanding in chief the army of the African expedition.

COUNT DE BOURMONT.

Note to the day of Algiers from the admiral.

"On board the Provence, July 5.

"The undersigned admiral, commander-in-chief of the fleet of his most Christian majesty, in answer to the

communication which have been made to him in the name of the dey of Algiers, and which have too long suspended the progress of hostilities, declares that so long as the flag of the regency is flying on the forts and city of Algiers, he can receive no farther communications, and considers it as in a state of war."

(Signed) "DUPERRE."

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"To his excellency the president of the council of ministers.

"La Casauba, July 5, 3 o'clock, p. m.

"Prince—The opening of the fire before the fort of the emperor was deferred till the 4th of July, in order that all the batteries might fire at once. I thought that by striking awe into the enemy on the very first day by a great superiority in our fire, I should abridge the duration of the operations.

"The trenches were opened on the night of the 29th, after which the works were not interrupted a moment.—During the night, and even in the hours when the workmen are generally relieved, the enemy's artillery fired but little. During the day the Turkish and Arab shapshooters, protected by the bushes, stole into the ravines which were to the left of the attack. They wounded a considerable number of men, but the troops were soon covered by epaulements.

"We had reason to expect vigorous sallies. The occupation of the fort of the emperor allowed the enemy to assemble without danger before the Casauba. They did not profit by this advantage. However, every thing was ready to give them a good reception.

"The batteries had been erected with astonishing rapidity. Among the 26 pieces of artillery mounted in them, there were 10 24-pounders, 6 16-pounders 4 10 inch mortars; and 6 8-inch howitzers,

"All was ready before day-break on the 4th. At 4 o'clock in the morning, a rocket gave the signal, and the firing commenced: that of the enemy replied for three hours with much briskness. The Turkish gunners, though the wideness of the embrasures left them almost wholly exposed, remained bravely at their posts, but could not long contend against the skill and intrepidity of ours, whom general La Hitte animated by his example and counsel. At 8 o'clock the firing of the fort was silenced; that of our batteries continued to ruin the works. The order to make a breach had been given; and was beginning to be executed, when, at 10 o'clock, a dreadful explosion caused part of the fort to disappear. Torrents of flame, clouds of dust and smoke, rose to a prodigious height; stones were thrown in all directions, but did not cause any serious accidents. General Hurel, who commanded the trenches, did not lose a moment to pass over the space between our troops and the fort and to place them there in the midst of the ruins. It seems certain that, at 9 o'clock, the troops who defended it being discouraged, returned into the city, crying that they were sacrificed to no purpose, and that then the dey ordered the powder-magazine in the fort to be blown up. At 2 o'clock a flag of truce was brought to me on the ruins of the fort of the emperor. It was the secretary of the dey. He offered to indemnify France for the expenses of the war! I replied that, first of all, the Casauba, the forts, and the port, must be delivered up to the French troops. After appearing to doubt whether this condition would be accepted, he allowed that the obstinacy of the dey had been very fatal. When the Algerines, they say, are at war with the king of France, they must not repeat the evening prayer, till they have obtained peace. He returned to Algiers. Soon afterwards two of the richest Moors of Algiers were sent by the dey; they did not dissemble that extreme terror prevailed among the soldiers and the inhabitants, and that all were desirous that negociations should commence immediately. They desired I would cause the firing to cease, promising that the fire of the place should be then likewise suspended. This suspension of hostilities in the fire took place. General Valaze took advantage of it to open communications beyond the fort of the emperor. At three o'clock, the dey's secretary returned, accompanied by the consul and vice consul of England: he requested that the conditions of the peace might be reduced to writing. This was done, and I caused a paper to be delivered to him, a copy of which your excellency will find below. At 4 o'clock the secretary came for the third time. The dey desired that an interpreter might be sent to him, in order that he might by his assistance understand what was required of him. M. Biaschewitz, formerly first interpreter to the army in Egypt, was sent to the Casauba. The dey, when he was made acquainted with the proposed convention, said that he accepted the conditions, and that he placed implicit confidence in the French honor. I had signed the convention: he put his seal to it, but desired that the armistice might be prolonged until the 5th, at noon, in order that he might have time to summon his council, and induce it to subscribe to the conditions prescribed. The firing was suspended till farther orders: however, our works were continued, and, on the 5th, at day break, a communication of 800 metres connected the fort of the emperor with the spot on which the battery against the Casauba was to be erected. To-day the two Moors returned: they were commissioned by the dey to confirm the engagement into which they had entered, by affixing his seal to the convention, but they desired that the occupation should be deferred for twenty-four hours. I required that the forts, the port, and the city, should be delivered up to the French troops, at 11 o'clock in the morning. The dey consented, and at this moment the standard of France is hoisted on all the towers of the city, the subjection of which has been for so many ages the object of the wishes of all Europe. The dey has retired into a house in the city, which he inhabited before he took up his abode in the Casauba. The promise which I have made to respect his person will be faithfully kept.

(The next paragraph praises the courage of the troops, and speaks in high terms of the superiority of the new artillery, both the field field-pieces and the heavy cannon.)

"The public property has been put under seal. An inventory will be taken, which I shall transmit to your excellency. I have the honor, &c.

"COUNT DE BOURMONT."

From the Messager des Chambers.

"TELEGRAPHIC DESPATCHES.

"The maritime prefect of Toulon to his excellency the minister of marine and the colonies.

"Toulon, July 9, 1830.

"Algiers surrendered at discretion on the 5th, at noon, and at two o'clock the flag of the king was floating on the palace of the dey.

"All our countrymen who had been shipwrecked and made prisoners have been saved."

"The maritime prefect of Toulon to his excellency the minister of marine.

"In addition to my despatch of this day, 1,500 brass cannon, 12 ships of war, the military and naval arsenals, supplied with arms and stores, fell into our arms on this memorable day.

Convention between the general in chief of the French army and his highness the dey of Algiers.

The fort of the Casauba, all the other forts depending on Algiers, and the port of that city, shall be delivered up to the French troops this morning at ten o'clock. French time.

The general-in-chief of the French army promises his highness the dey of Algiers, to leave him his liberty and the possession of every thing that belongs to him personally.

The dey shall be at liberty to retire with his family and all that belongs to him to the place which he shall fix upon, and so long as he remains at Algiers, he and all his family shall be under the protection of the general in chief of the French army; a guard shall protect the safety of his person and that of his family. The general in chief promises to all the soldiers the same advantage and the same protection.

The exercise of the Mahometan religion shall remain free. The liberty of the inhabitants of all classes, their religion, their property, their commerce, their industry, shall be inviolate, their women shall be respected: the general in chief promises this upon his honor.

The exchange of this convention shall be made before ten o'clock this morning, and the French troops shall immediately after enter the Casauba, and successively all the other forts of the city and the port.

Camp before Algiers, July 5, 1830.

"*To his excellency the minister of marine.*

"*On board the Provence, July* 6.

"Sir—On the 4th instant, the day after the attack made by the fleet under my command on the forts and batteries of Algiers, the chief object of which was to call back to the town the enemy's cannoneers and troops, whom I had seen going in great numbers to the fort of the emperor, the batteries opened their fire upon the fort at three o'clock in the morning. At 10 o'clock, after a dreadful explosion, which was heard to the distance of sixty miles, we perceived the port partly destroyed, and our troops took possession of it. Half an hour afterwards I was preparing to make another attack on the sea batteries, when, delayed by the unfavorable winds, I found myself obliged to suspend the execution of my plan by the arrival of a boat with a flag of truce, which had on board the admiral of the Algerine fleet, who came to entreat me in the name of the dey to suspend hostilities, and to ask for peace. At the same moment we perceived another flag of truce going towards the fort of the emperor. Our batteries and those of the enemy had ceased firing; I desired the envoy to tell his master that the proceedings of the fleet under my command would be subordinate to those of the army, respecting which I referred him to the general in chief. The evening and the night passed without hostilities. Yesterday morning, at five o'clock, the envoy returned to repeat his solicitations. I answered by the annexed note, which I desired him to deliver to the dey, giving him at the same time a copy for the commander in chief of the land forces.

"At noon the Algerine colours were no longer displayed on the Casauba and some neighboring forts.—We perceived our troops in motion towards the city. At forty minutes past two, his majesty's flag was flying on the palace of the dey, and successively hoisted on all the forts and batteries. The squadron immediately saluted it with twenty guns, amidst reiterated cries of 'vive le roi.' To day I have just caused the Provence to anchor under the walls of Algiers. The other vessels, in two divisions, under admiral Rosamel and captain Ponce, are cruising before the bay of Algiers and Sid Ferruch.

"I despatch, without loss of time, the Sphynx steam boat with count Bourmont's dispatches and my own.

"My first care has been to claim our unfortunate prisoners belonging to the Sylene and Aventure.—They have just been delivered up to me, and I send them to France. They have suffered much since the time of our landing, but much more from the exasperation of the populace, than that of the dey. Nevertheless, none of those who escaped being massacred by the Arabs, and a list of whom had been sent to you, has sunk under his sufferings. Accept, &c.

(Signed.) "DUPERRE."

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From the Moniteur of Monday, July 12.

His majesty has just addressed the following letter to the bishops relative to the fall of Algiers:—

"M. L'Eveque.—Our firm confidence in the Divine protection has not been deceived; Heaven has blessed our arms; justice, religion, and humanity triumph; Algiers has fallen, immortal thanks, *(graces immortelles)* be given to the all-powerful God, who has crowned with this brilliant victory our glorious and rapid African expedition. The first desire of our heart is to lay at the foot of the holy altars, amidst the acclamations of public joy, the solemn expression of our gratitude. We send you, therefore, this letter that you may order a *te deum* to be sung by way of thanksgiving in all the churches of your diocese. You will invite to this ceremony, as usual, the civil and military authorities. This being the sole intent of our letter, I pray God, M. L'Eveque, to have you in his holy and worthy keeping.

"Given at our palace of St. Cloud, this tenth day of July, in the year of grace, one thousand eight hundred and thirty, and the sixth of our reign. CHARLES.

(By the king.)

"Count De Gueron-Ranville."

Yesterday, a solemn *te deum* was sung at the church of Notre Dame for the taking of Algiers. His majesty the duke and duchess of Orleans, Mdlles. d'Orleans, the duke de Chartres, the duke de Nemours, and an immense number of the noblesse were present. An address of congratulation was presented to the king on entering the church by the archbishop and clergy, to which his majesty replied as follows:—

"M. L'Archeveque—We had implored the aid of the Almighty for the success of our expedition, which was to prove at once so glorious for France, and so beneficial for mankind. The Lord has blessed our arms and it became a duty for me, and for each of my subjects, to offer up immediately our solemn thanksgivings. This signal goodness has caused me to experience a satisfaction which I have not felt for years. I come to throw myself before the Most High, and to offer to him the homage of my most sincere and profound gratitude. I implore from Him grace to consecrate the remainder of my strength to the rendering my people happy, and I desire ardently that the French will be persuaded and feel with all their souls, that I live only to confirm and to consolidate their happiness."

His majesty left the church after the performance of divine service, amidst the acclamations of the people. In the evening the public buildings and private houses were illuminated.

[There are several communications from the admiral —(not however, so immediately interesting as those from the general), which shall have a place in our next, as matters of record. The fleet seems to have been well managed to assist the operations of the land forces, and to have taken its full share in the capture of the city, in attacking the ships and batteries of the Algerines, and diverting their force.]

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Some further particulars.

The bey of Tunis sent an envoy to gen. Bourmont, to express his good wishes for the success of his expedition.

It is probable that the dey of Algiers hastened the surrender of the city, to save his own life. He heard of a conspiracy, however, and beheaded sixty suspected persons. There was much dissension in the city. The dey's treasures are said to amount to a vast sum—four millions sterling! His late palace is the head quarters of gen. Bourmont.

The consuls of all nations have quitted Algiers, accompanied by a Turkish guard, which escorted them as far as the out-posts. A French guard then joined itself to the Turkish escort, in order to protect the consuls, and to secure them from receiving any insult on the part of the undisciplined bands.

A vast number of cannon and quantity of munitions of war, have fallen into the hands of the French.

Much religious ceremony has been observed in France because of the conquest of Algiers.

The archbishop of Paris caused the solemnity to be preceded by the publication of an order, wherein, after having alluded to the humbling of this, till lately, so proud Mussulman, the prelate exclaims—"May the enemies of our Lord and king be ever, and in all places, treated in the same manner." The reformed church and the Jews have joined in returning thanks.

CELEBRATION OF AMERICAN INDEPENDENCE.

From Galignani's Messenger.

On Monday, the 5th inst. a number of American citizens, sat down to a sumptuous dinner, given at Lointier's, rue Richelieu, in commemoration of the 54th anniversary of American independence. The guests present on this occasion were—general Lafayette, and M. Levasseur. The chair was taken by Mr. John A. Morton, of Virginia, assisted by the committee of arrangements, Messrs. Canouge, of Louisiana, T. G. Clemson, of Philadelphia, A. Barnet, of New Jersey, J. A. Ventress, and C. F. Johnson, of New York.

After the removal of the cloth, the following toasts were given from the chair:—

1. The day we celebrate. 2. The president of the United States. 3. The king of France and the French nation. 4. The memory of Washington. 5. Benjamin Franklin—"Eripuit fulmen cœlo, sceptrumque tyran-

nis." 6. Our ex-presidents—in their retirement, like the sitting sun, they please more, though they dazzle less. 7. The freemen of the new world—the pioneers of liberty. 8. The constitutional liberty of France—May it lead the way to the constitutional liberty of Europe. 9. Revenue and defence—The legitimate grounds of taxation. 10. The army and navy defenders of a nation's honor—a nation's gratitude rewards them. 11. Private interest—The best guide of national industry. 12. Charles Carroll of Carrollton—The last link of a bright chain of worthies. 13. Civil and religious liberty—The birth-right of man.

The preceding toasts having been drunk, the president, on behalf of the committee of arrangements, proposed—Our illustrious guest—the friend of Washington, the friend of liberty, and the friend of man. After the acclamations which followed this toast had subsided—

General Lafayette rose and said—"I most gratefully thank you, gentlemen, for your kind toast, and for the affectionate manner in which it has been received. Your invitation to celebrate the anniversary of the fourth of July, could not but have had upon me, the moment I received it, the effect of magnetic attraction. During the succession of *fifty-three* anniversaries, whether on the field of war, in civic celebration, or in the dungeons of a crowned European coalition, it has ever been my pride and delight to hail our great era of American Independence, and to worship the rising sun of universal freedom.—(Cheers.) It is this day, gentlemen, which Jefferson and Adams esteemed themselves happy in being allowed to behold once more, before surrendering up their last breath. And to us, the few survivors of the revolution, it seems that on this day we behold our departed companions, whom we are soon to join, looking down, with Washington at their head, on these numerous celebrations, and hear them again recommending, as they did during their lives, the preservation of those American fellow-feelings—of that union between the states, which, whatever may be the momentary language of parties, is deeply rooted in every American heart.—(Cheers.) And who can better testify to this truth, than the veteran whose happy lot it has lately been to visit the twenty-four states of the confederacy? and who, from the kindness of the people towards him, has enjoyed, it may be said, an individual communication with the twelve millions of their inhabitants.

Nor will it, perhaps, appear misplaced in me, also to bear witness to the universal sympathy, the fraternal good wishes, which I have observed in the people of the United States towards those of the other parts of the American hemisphere. May they, after the example of their elder brethren, by wise institutions, civic virtues, and practical freedom attain to an equal degree, the blessings of tranquility and happiness. May they, whatever may be the suggestions of European jealousy, or the errors of local prejudice, in the remembrance of what was done by the United States in their behalf, long before any European power had consented to acknowledge their independence, as well as in the congeniality of their republican principles, find the only sure way to the guarantees of a purely American system of politics. Permit me, gentlemen, to offer you as a toast—"The constitution of the United States—the price of blood—the work of wisdom—the happy republican compound of state rights and federal energy—may it ever stand far above party collisions, under the sole patronage of national good sense and self-government.

The general sat down amidst the most enthusiastic applause.

Mr. Poncet, of Baltimore, then gave—"Our absent friend, George Washington Lafayette."

By Mr. Matlock, of New Jersey—"The memory of the Bourbon, who served us with money and men in our revolutionary war—the memory of the Bourbon, who suffered as a christian, and died as became his life—the memory of Louis XVI."

By M. Levasseur—"the United States of America—the true practical school of civil and religious liberty—may her wise lessons be ere long understood by old Europe.

By T. G. Clemson, of Philadelphia—"The liberality of the scientific institutions of France—may they be chosen as criterions of the western world.

By H. Edwards, of Massachusetts—"The patriots of the revolution—time is fast thinning their ranks, but time shall never obliterate them from the memory of their countrymen."

By B. Curtis, of N. York—"The health of Mr. Brown, our late minister."

By the president—"The health of our minister, Mr. Rives."

By. C. Wistar Pinnock, of Philadelphia—"Universal suffrage—a republic's safety, when connected with, and dedendent on, universal education."

By A. Barnet of New Jersey—"The memory of Kosciusko."

By Mr. Leland, of S. Carolina—"Mr. Eynard, the friend of liberty."

By Mr. Masson, of Louisiana—"The militia of America, though surpassed in discipline, yet not in courage, by the regulars of the European powers."

By the president—"The amiable ladies of La Grange." (Cheers.)

The company retired at a late hour.

INTERNAL IMPROVEMENTS.

From the Georgia Journal.

Disappointment.—We, like many others in the United States, hailed the veto of the president, on the Maysville bill, as the harbinger of better times, the forerunner of the adoption of a wiser policy, by the administration of the federal government, and, especially, as a mortal blow given to the "American system." We congratulated ourselves, and the American people, a *little* too soon. If we had waited a *little* while, our tone would not have been so joyous. We received a few days ago from Washington city, a copy of the laws passed at the last session of congress. These laws underwent our examination: and what have we seen? *Appropriations, sanctioned by the president, which are so near of kin to the provisions of the Maysville bill, that it is impossible to deny the identity of the parentage.* To show the reader how the public money is disposed of by the *honorable representatives* of the people, we have made the following extracts, from the several appropriation laws, in order that he may judge for himself, whether the Maysville bill alone, should have been rejected by the president.

RIVERS.

Appropriations for removing obstructions at the mouths of certain rivers.

In Ohio	$22,129
New York	13,335
Maine	5,000
North Carolina	25,688
Florida	13,500
Mississippi and Ohio rivers	50,000
	$129,652

ROADS.

Road from Green Bay to Winnebago	$2,000
in Maine	47,451
from Detroit to several places	22,000
in Florida	12,400
Cumberland road	215,000
For surveys of national works	30,000
	$328,851

HARBORS.

Appropriations for the improvement of certain harbors.

In Ohio	$1,786
New York	37,808
Connecticut	16,491
Massachusetts	11,874
Delaware	10,000
Breakwater in Delaware river	162,000
	$239,959

FORTIFICATIONS.

Appropriations for fortifications	$851,000
National armories	360,000
Armament of fortifications	100,000
	$1,311,000

LIGHT HOUSES.

Appropriations for light houses	$186,003
new light houses	40,500
	$226,503

Recapitulation.

Rivers,	$129,652
Roads,	328,851
Harbors,	239,959
Fortifications,	1,311,000
Light houses,	226,503
	$2,235,965

[If the public money may not be used for such purposes, we cannot comprehend the reason why taxes are laid, except to pay persons in office. But, might not the editors of the "Georgia Journal" be content with the sudden arrest of the progress of internal improvements, in the *vetoes* of the Maysville and Rockville turnpike road bills, and the quashing of the general light house bill, and that to further the making of the Louisville and Portland canal, which, remaining unsigned, died a natural death?]

SPEECH OF HENRY CLAY,

Delivered at the mechanics' collation, in the Apollonian garden, Cincinnati, on the 3d August, 1830.

Eighth toast.—OUR VALUED GUEST. It is his highest eulogium, that the name of HENRY CLAY, is inseparably associated with the best interests of the country, as their asserter and advocate.

When the enthusiastic cheering which followed the reading of this toast had subsided, Mr. CLAY rose and addressed the company as follows—

Mr. President and fellows citizens:

In rising to make the acknowledgments which are due from me, for the sentiment which has been just drank, and for the honors which have been spontaneously rendered to me, on my approach, and during my visit to this city, I feel more than ever the incompetency of all language adequately to express the grateful feelings of my heart. Of these distinguished honors, crowned heads themselves might well be proud. They indeed possess a value far surpassing that of any similar testimonies which could be offered to the chief of an absolute government. There they are, not unfrequently, tendered by reluctant subjects, awed by a sense of terror, or impelled by a spirit of servility. Here, in this land of equal laws and equal liberty, they are presented to a private fellow citizen, possessing neither office nor power, nor enjoying any rights or privileges which are not common to every member of the community. Power could not buy nor deter them. And, what confers an estimable value upon them to me—what makes them alone worthy of you or more acceptable to their object, is that they are offered, not to the man, but to the public principles and public interests which you are pleased to associate with his name. On this occasion too, they emanate from one of those great productive classes which form the main pillars of public liberty and public prosperity. I thank you, fellow citizens, most cordially, for these endearing proofs of your friendly attachment. They have made an impression of gratitude on my heart which can never be effaced, during the residue of my life. I avail myself of this last opportunity of being present at any large collection of my fellow citizens of Ohio, during my present visit, to express my respectful acknowledgments for the hospitality and kindness with which I have been every where received and entertained. Throughout my journey, undertaken solely for private purposes, there has been a constant effort on my side to repress, and, on that of my fellow citizens of Ohio, to exhibit public manifestations of their affection and confidence. It has been marked by a succession of civil triumphs. I have been escorted from village to village, and have every where found myself surrounded by large concourses of my fellow citizens, often of both sexes, greeting and welcoming me. Nor should I do justice to my feelings, if I confined the expression of my obligations to those only with whom I had the happiness to agree, on a late public event. They are equally due to the candid and liberal of those from whom it was my misfortune to differ on that occasion, for their exercise towards me of all the rites of hospitality and neighborly courtesy. It is true, that, in one or two of the towns through which I passed, I was informed that attempts were made, by a few political zealots, to dissuade portions of my fellow citizens from visiting and saluting me. These zealots seemed to apprehend that an invading army was about to enter the town: that it was necessary to sound the bells, to beat the drums, to point the cannon, and to make all needful preparations for a resolute assault and a gallant defence.—They were accordingly seen in the streets and at public places beating up for recruits, and endeavoring to drill their men. But I believe there were only a few who were awed by their threats or seduced by their bounty, to enlist in such a cause. The great body of those who thought differently from me, in the instance referred to, remained firm and immoveable. They could not comprehend that it was wrong to extend to a stranger from a neighbouring state the civilities which belong to social life. They could not comprehend that it was right to transform political differences into deadly animosities.—Seeing that varieties in the mode of worshipping the great Ruler of the Universe did not disturb the harmony of private intercourse, they could not comprehend the propriety of extending to mortal man a sacrifice which is not offered to our immortal father, of all the friendly and social feelings of our nature, because we could not all agree as to the particular exercise of the elective franchise. As independent and intelligent freemen, they would not consent to submit to an arrogant usurpation which assumed the right to control their actions and to regulate the feelings of their hearts, and they scorned, with indignation, to yield obedience to the mandates of would-be dictators. To quiet the apprehensions of these zealots, I assure them that I do not march at the head of any military force; that I have neither horse, foot, nor dragoon, and that I travel with my friend Charles, (a black boy residing in my family, for whom I feel the same sort of attachment that I do for my own children,) without sword, pistol, or musket!—Another species of attempted embarrassment has been practised by an individual of this city. About an hour before I left my lodgings for this spot, he caused a packet to be left in my room by a little boy; who soon made his exit. Upon opening it I looked at the signature, and *that* was enough for me. It contained a long list of interrogatories which I was required publicly to answer. I read only one or two of them. There are some men whose contact is pollution. I can recognize no right in the person in question to catechize me. I can have no intercourse with one who is a disgrace to the gallant and generous nation from which he sprang. I cannot stoop to be thus interrogated by a man whose nomination to a paltry office was rejected by nearly the unanimous vote of the senate; I must be excused if, when addressing my friends, the mechanic's of Cincinnati, I will not speak from *his* notes. On the renewal of the charter of the present bank of the United States, which I believe formed the subject of one or two of these interrogatories, I will say a few words for your, not his sake. I will observe, in the first place, that I am not in favor of such a bank as was recommended in the message of the president of the U. States, at the commencement of the last session of congress; that, with the committee of the two houses, I concur in thinking it would be an institution of a dangerous and alarming character; and that, fraught as it would be with the most corrupting tendencies, it might be made powerfully instrumental in overturning our liberties. As to the existing bank, I think it has been generally administered, and particularly of late years, with great ability and integrity; that it has fulfilled all the reasonable expectations of those who constituted it; and, with the same committees, I think it has made an approximation towards the equalization of the currency, as great as is practicable. Whether the charter ought to be renewed or not, near six years hence, in my judgment, is a question of expediency to be decided by the then existing state of the country. It will be necessary at that time to look carefully at the condition both of the bank and of the union. To ascertain, if the public debt shall, in the mean time, be paid off, what effect that will produce? what will be our then financial condition? what that of

local banks, the state of our commeree, foreign and domestie, as well as the coneerns of our currency generally? I am, therefore, not now prepared to say whether the charter ought or ought not to be renewed on the expiration of its present term. The bank may become insolvent, and may hereafter forfeit all pretensions to a renewal. The question is premature. I may not be alive to form any opinion upon it. It belongs to posterity, and if they would have the goodness to deeide for us some of the perplexing and practical questions of the present day, we might be disposed to decide that remote question for them. As it is, it ought to be indefinitely postponed.

With respect to the American system, which demands your undivided approbation, and in regard to which you are pleased to estimate much too highly my serviee, its great object is to seeure the independenee of our country, to augment its wealth, and to diffuse the comforts of civilization throughout society. That objeet, it has been supposed, can be best aeeomplished by introdueing, encouraging and proteeting the arts among us. It may be called a system of real reeiproeity, under the operation of whieh one eitizen or one part of the country, can exchange one description of the produce of labor, with another eitizen or another part of the country for a different description of the produee of labor. It is a system whieh developes, improves and perfects the capabilities of our common country, and enables us to avail ourselves of all the resources with which Providence has blest us. To the laboring classes it is invaluable, sinee it increases and multiplies the demands for their industry, and gives them an option of employments. It adds power and strength to our union by new ties of interest, blending and connecting together all its parts and creating an interest with each in the prosperity of the whole. It seeures to our own country, whose skill and enterprise, properly fostered and sustained, eannot be surpassed, those vast profits whieh are made in other countries, by the operation of converting the raw material into manufactured artieles. It naturalizes and creates within the bosom of our country all the arts, and mixing the farmer, manufaeturer, mechanic, artist, and those engaged in other voeations, together, admits of those mutual exchanges, so eondueive to the prosperity of all and every one, free from the perils of the sea and war. All this it effects, whilst it nourishes and leaves a fair seope to foreign trade. Suppose we were a nation that elad ourselves, and made all the implements necessary to civilization, but did not produce our own bread, which we brought from foreign countries, although our own was eapable of producing it, under the influence of suitable laws of proteetion, ought not such laws to be enaeted? The ease supposed is not essentially different from the real state of things whieh led to the adoption of the American system.

That system has had a wonderful success. It has more than realized all the hopes of its founders. It has completely falsified all the predictions of its opponents. It has increased the wealth, and power and population of the nation. It has diminished the price of articles of consumption, and has placed them within the reach of a far greater number of our people than could have found means to eommand them, if they had been manufactured abroad instead of at home.

But it is useless to dwell on the argument in support of this benefieient system before this audience. It will be of more consequence here to examine some of the objeetions which are still urged against it, and the means which are proposed to subvert it. These objections are now prineipally confined to its operation upon the great staple of eotton wool, and they are urged with most vehemence in a particular state. If the objections are well founded, the system should be modified, as far as it can consistently with interest, in other parts of the union. If they are not well founded, it is to be hoped they will be finally abandoned.

In approaching the subject, I have thought it of importanee to inquire what was the profit made upon capital employed in the eulture of eotton, at its present reduced price. The result has been information, that it netts from 7 to 18 per eent. per annum, varying aeeording to the advantage of situation, and the degree of skill, judgment, and industry, applied to the production of the artiele. But the lowest rate of profit, in the seale, is more than the greatest amount which is made on capital employed in the farming portions of the union.

If the eotton planter have any just eomplaint against the expediency of the American system, it must be founded on the fact, that he either sells *less* of his staple or sells at *lower* priees, or purchases for consumption, artieles at *dearer* rates or of *worse* qualities, in consequence of that system, than he would do, if it did not exist. If he would neither sell more of his staple, nor sell it at better priees, nor eould purehase better or eheaper artieles for consumption, provided the system did not exist, then he has no cause, on the seore of its burthensome operation, to complain of the system, but must look to other sources for the grievances which he supposes afflict him.

As respects the sale of his staple, it would be indifferent to the planter whether one portion of it was sold in Europe and the other in America, provided the aggregate of both were equal to all that he eould sell in one market, if he had but one, and provided he could command the same priee in both cases. The double market would indeed be something better for him, because of its greater security in time of war as well as in peace, and because it would be attended with less perils and less charges. If there be an equal amount of the raw material manufactured, it must be immaterial to the eotton planter, in the sale of the article, whether there be two theatres of the manufacture, one in Europe and the other in Amerieа, or but one in Europe; or if there be a difference, it will be in favor of the two places of manufacture, instead of one, for reasons already assigned, and others that will be hereafter stated.

It eould be of no advantage to the eotton planter, if all the eotton, now manufactured both in Europe and America, was manufactured exclusively in Europe, and an amount of eotton fabries should be brought back from Europe, equal to both what is now brought from there and what is manufactured in the United States together. Whilst he would gain nothing, the United States would lose the profit and employment resulting from the manufacture of that portion whieh is now wrought up by the manufaeturers of the United States.

Unless, therefore, it can be shown that, by the reduction of import duties and the overthrow of the Amerіcan system, and by limiting the manufaeture of eotton to Europe, a greater amount of the raw material would be consumed than is at present, it is difficult to see what interest, so far as respects the sale of that staple, the eotton planter has in the subversion of that system. If a reduction of duties would admit of larger investments in British or European fabries of eotton, and their subsequent importation into this country, this additional supply would take the place, if consumed, of an equal amount of American manufactures, and consequently would not augment the general eonsumption of the raw material. Additional importation does not neeessarily imply increased consumption, especially when it is effected by a poliey which would impair the ability to purehase and consume.

Upon the supposition, just made, of a restriction to Europe of the manufacture of eotton, would more or less of the article he consumed than now is? More could not be, unless in consequence of such a monopoly of the manufaeture, Europe could sell more than she now does. But to what countries could she sell more? She gets the raw material now unburthened by any duties except such moderate ones as her policy, not likely to be changed, imposes. She is enabled thereby to sell as mueh of the manufactured article as she can find markets for in the states within her own limits or in foreign countries. The destruction of the Amerіcan manufaeture would not induce her to sell cheaper, but might enable her to sell dearer than she now does. The ability of those foreign countries, to purehase and consume, would not be increased by the annihilation of our manufaetures, and the monopoly of European manufacture. The probability is that those foreign countries, by the faet of that monopoly, and some consequent increase of priee, would be worse and dearer supplied than they now are under the operation of a eompetition between America and Europe in their supply.

At most, the United States, after the transfer from their territory to Europe of the entire manufacture of the

article, could not consume of European fabrics from cotton a greater amount than they now derive from Europe and from manufactures within their own limits.

But it is confidently believed that the consumption of cotton fabrics, on the supposition which has been made, within the United States, would be much less than it is at present. It would be less, because the American consumer would not possess the means or ability to purchase as much of the European fabric as he now does to buy the American. Europe purchases but little of the produce of the northern, middle and western regions of the United States. The staple productions of those regions are excluded from her consumption by her policy or by her native supplies of similar productions. The effect, therefore, of obliging the inhabitants of those regions to depend upon the cotton manufactures of Europe for necessary supplies of the article, would be alike injurious to them and to the cotton grower. They would suffer from their inability to supply their wants, and there would be a consequent diminution of the consumption of cotton. By the location of the manufacture in the United States, the quantity of cotton consumed is increased, and the more numerous portion of their inhabitants, who would not be otherwise sufficiently supplied, are abundantly served. That this is the true state of things, I think cannot be doubted by any reflecting and unprejudiced man. The establishment of manufactures within the United States, enables the manufacturer to sell to the farmer, the mechanic, the physician, the lawyer, and all who are engaged in other pursuits of life; and these, in their turns, supply the manufacturer with subsistence, and whatever else his wants require. Under the influence of the protecting policy, many new towns have been built and old ones enlarged. The population of these places draw their subsistence from the farming interest of our country, their fuel from our forests and coal mines, and the raw materials, from which they fashion and fabricate, from the cotton planter and the mines of our country. These mutual exchanges, so animating and invigorating to the industry of the people of the United States, could not possibly be effected between America and Europe, if the latter enjoyed the monopoly of manufacturing.

It results, therefore, that, so far as the sale of the great southern staple is concerned, a greater quantity is sold and consumed, and consequently better prices are obtained, under the operation of the American system, than would be without it. Does that system oblige the cotton planters to buy dearer or worse articles of consumption than he could purchase, if it did not exist?

The same cause of American and European competition, which enables him to sell more of the produce of his industry, and at better prices, also enables him to buy cheaper and better articles for consumption. It cannot be doubted that the tendency of the competition, between the European and American manufacturer, is to reduce the price and improve the quality of their respective fabrics, whenever they come into collision. This is the immutable law of all competition. If the American manufacture were discontinued, Europe would then exclusively furnish those supplies which are now derived from the establishments in both continents; and the first consequence would be an augmentation of the demand, beyond the supply, equal to what is now manufactured in the United States, but which, in the contingency supposed, would be wrought in Europe. If the destruction of the American manufactures were sudden, there would be a sudden and probably a considerable rise in the European fabrics. Although, in the end, they might be again reduced, it is not likely that the ultimate reduction of the prices would be to such rates as if both the workshops of America and Europe remained sources of supply. There would also be a sudden reduction in the price of the raw material in consequence of the cessation of American demand. And this reduction would be permanent, if the supposition be correct, that there would be a diminution in the consumption of cotton fabrics arising out of the inability, on the part of large portions of the people of the United States, to purchase those of Europe.

That the effect of competition between the European and American manufacture has been to supply the American consumer with cheaper and better articles, since the adoption of the American system, notwithstanding the existence of causes which have obstructed its fair operation, and retarded its full developement, is incontestible. Both the freeman and the slave are now better and cheaper supplied than they were prior to an existence of that system. Cotton fabrics have diminished in price, and been improved in their texture to an extent that it is difficult for the imagination to keep pace with. Those partly of cotton and partly of wool are also better and cheaper supplied. The same observation is applicable to those which are exclusively wrought of wool, iron or glass. In short, it is believed that there is not one item of the tariff inserted for the protection of native industry, which has not fallen in price. The American competition has tended to keep down the European rival fabric, and the European has tended to lower the American.

Of what then can the South Carolina planter justly complain in the operation of this system? What is there in it which justifies the harsh and strong epithets which some of her politicians have applied to it? What is there in her condition which warrants their assertion, that she is oppressed by a government to which she stands in the mere relation of a colony? She is oppressed by a great reduction in the price of manufactured articles of consumption.

She is oppressed by the advantage of two markets for the sale of her valuable staple, and for the purchase of objects required by her wants.

She is oppressed by better prices for that staple than she could command if the system to which they object did not exist.

She is oppressed by the option of purchasing cheaper and better articles, the produce of the hands of American freemen, instead of dearer and worse articles, the produce of the hands of British subjects.

She is oppressed by the measures of a government in which she has had, for many years, a larger proportion of power and influence, at home and abroad, than any state in the whole union, in comparison with the population.

A glance at the composition of the government of the union will demonstrate the truth of this last proposition. In the senate of the United States, South Carolina having the presiding officer, exercises nearly one-sixteenth instead of one-twenty-fourth part of both its legislative and executive functions.

In both branches of congress some of her citizens now occupy, as chairmen of committees, the most important and influential stations. In the supreme court of the U. States, one of her citizens being a member, she has one seventh part, instead of about one-twentieth, her equal proportion of the whole power vested in that tribunal. Until within a few months she had nearly one-third of all the missions of the first grade, from this to foreign countries. In a contingency, which is far from impossible, a citizen of South Carolina would instantly become charged with the administration of the whole of the vast power and patronage of the executive of the United States.

Yet her situation has been compared to that of a colony which has *no voice* in the laws enacted by the parent country for its subjection! And, to be relieved from this cruel state of vassallage, and to put down a system which has been established by the united voice of all America, some of her politicians have broached a doctrine as new as it would be alarming, if it were sustained by numbers in proportion to the zeal and fervid eloquence with which it is inculcated. I call it a novel doctrine. I am not unaware that attempts have been made to support it on the authority of certain acts of my native and adopted states. Although many of their citizens are much more competent than I am to vindicate them from this imputation of purposes of disunion and rebellion, my veneration and affection for them both, urge me to bear my testimony of their innocence of such a charge. At the epoch of 1798-9, I had just attained my majority, and although I was too young to share in the public councils of my country, I was acquainted with many of the actors of that memorable period; I knew their views, and formed and freely expressed my own opinions on passing events. The then administration of the general government was believed to entertain views

(whether the belief was right or wrong is not material to this argument, and is now an affair of history) hostile to the existence of the liberties of this country. The alien and sedition laws, particularly, and other measures, were thought to be the consequences and proofs of those views. If the administration had such a purpose, it was feared that the extreme case, justifying forcible resistance, might arise, but no one believed that, in point of fact, it had arrived. No one contended that a *single* state possessed the power to annul the deliberate acts of the whole. And the best evidence of these remarks is the fact that the most odious of those laws (the sedition act) was peaceably enforced in the capital of that great state which took the lead in opposition to the existing administration.

The doctrines of that day, and they are as true at this, were, that the federal government is a limited government; that it has no powers but the granted powers. Virginia contended that, in case "of a *palpable*, deliberate and dangerous exercise of other powers not granted by said compact, *the states*, who are parties thereto, have the right to interpose for arresting the progress of the evil, and for maintaining, within their respective limits, the authorities, rights and liberties, appertaining to them." Kentucky declared that the "several states, that framed that instrument, the federal constitution, being sovereign and independent, have the unquestionable right to *judge* of its infractions, and a nullification *by those sovereignties* of all unauthorized acts, done under color of that instrument, is the rightful remedy."

Neither of those two commonwealths asserted the right of a single state to interpose and annul an act of the whole. This is an inference drawn from the doctrines then laid down, and it is not a principle expressly asserted or fairly deducible from the language of either. Both refer to *the states* collectively (and not individually) when they assert their right, in case of Federal usurpation, to interpose "for arresting the progress of evil." Neither state ever did, no state ever yet has, by its separate legislation, undertaken to set aside an act of congress.

That the states *collectively* may interpose their authority to check the evils of federal usurpation, is manifest. They may dissolve the union. They may alter at pleasure the character of the constitution, by amendment; they may annul any acts purporting to have been passed in conformity to it, or they may, by their elections, change the functionaries to whom the administration of its powers is confided. But no one state, by itself, is competent to accomplish those objects. The power of a single state to annul an act of the whole, has been reserved for the discovery of some politicians in South Carolina.

It is not my purpose, upon an occasion so unfit, to discuss this pretension. Upon another and a more suitable theatre, it has been examined and refuted, with an ability and eloquence, which have never been surpassed on the floors of congress. But, as it is announced to be one of the means which is intended to be employed to break down the American system, I trust that I shall be excused for a few additional passing observations. On a late festive occasion, in the state where it appears to find most favor, it is said, by a gentleman whom I once proudly called my friend, and towards whom I have done nothing to change that relation—a gentleman who has been high in the councils and confidence of the nation—that the tariff must be resisted *at all hazards*. Another gentleman, who is a candidate for the chief magistracy of that state, declares that the *time* and the *case* for resistance had arrived. And a third, a senator of the U. States, who enjoys unbounded confidence with the American executive, laid down principles and urged arguments tending directly and inevitably to violent resistance, although he did not indicate that as his specific remedy.

The doctrine of some of the South Carolina politicians is, that it is competent to that state to annul, within its limits, the authority of laws deliberately passed by the congress of the United States. They do not appear to have looked much, beyond the simple act of nullification, into the consequences which would ensue, and have not distinctly announced whether one of them might not necessarily be to light up a civil war. They seem, however, to suppose that the state might, after the act was performed, remain a member of the union. Now, if one state can, by an act of its separate power, absolve itself from the obligations of a law of congress, and continue a part of the union, it could hardly be expected that any other state would render obedience to the same law. Either every other state would follow the nullifying example, or congress would feel itself constrained, by a sense of equal duty to all parts of the union, to repeal altogether the nullified law. Thus, the doctrine of South Carolina, although it nominally assumes to act for one state only, in effect, would be legislating for the whole union.

Congress embodies the collective will of the whole union, and that of South Carolina among its other members. The legislation of congress is, therefore, founded upon the basis of the representation of all. In the legislature, or a convention of South Carolina, the will of the people of that state is alone collected. They alone are represented, and the people of no other state have any voice in their proceedings. To set up for that state a claim, by a separate exercise of its power, to legislate, in effect, for the whole union, is to assert a pretension at war with the fundamental principles of all representative and free governments. It would practically subject the unrepresented people of all other parts of the union to the arbitrary and despotic power of one state. It would substantially convert them into colonies, bound by the parental authority of that state.

Nor can this enormous pretension derive any support from the consideration that the power to annul is different from the power to originate laws. Both powers are, in their nature, legislative; and the mischiefs which might accrue to the republic from the annulment of its wholesome laws, may be just as great as those which would flow from the origination of bad laws. There are three things to which, more than all others, mankind in all ages, have shown themselves to be attached, their religion, *their laws*, and their language.

But it has been argued, in the most solemn manner, "that the acknowledgment of the exclusive right of the federal government to determine the limits of its own powers, amounts to a recognition of its absolute supremacy over the states and the people, and involves the sacrifice not only of our dearest rights and interests, but the very existence of the southern states."

In cases where there are two systems of government, operating at the same time and place over the same people, the one general and the other local or particular, one system or the other must possess the right to decide upon the extent of the powers, in cases of collision, which are claimed by the general government. No third party, of sufficient impartiality, weight, and responsibility, other than such a tribunal as a supreme court, has yet been devised, or perhaps can be created.

The doctrine of one side is, that the general government, though limited in its nature, must necessarily possess the power to ascertain what authority it has, and, by consequence, the extent of that authority. And that, if its legislative or executive functionaries, by act, transcend that authority, the question may be brought before the supreme court, and, being affirmatively decided by that tribunal, their act must be obeyed until repealed or altered by competent power.

Against the tendency of this doctrine to absorb all power, those who maintain it, think there are reasonable, and, they hope, sufficient securities. In the first place, all are represented in every legislative or executive act, and, of course, each state can exert its proper influence, to prevent the adoption of any that may be deemed prejudicial or unconstitutional—Then, there are sacred oaths, elections, public virtue and intelligence, the power of impeachment, a common subjection to both systems of those functionaries who act under either, the right of the states to interpose and amend the constitution, or to dissolve the union; and, finally, the right, in extreme cases, when all other remedies fail, to resist insupportable oppression.

The necessity being felt, by the framers of the constitution, to declare which system should be supreme, and believing that the securities now enumerated, or some of them, were adequate, they have accordingly provided that the constitution of the United States, and

the laws made in pursuance of it, and all treaties made under the authority of the United States, shall be the *supreme law* of the land; and that the judicial power shall extend to *all* cases arising under the constitution, laws, or treaties, of the United States.

The South Carolina doctrine, on the other side, is, that that state has the right to determine the limits of the powers granted to the general government; and that, whenever any of its acts transcend those limits, in the opinion of the state of South Carolina, she is competent to annul them. If the power, with which the federal government is invested by the constitution, to determine the limits of its authority, be liable to the possible danger of ultimate consolidation, and all the safeguards which have been mentioned might prove inadequate, is not this power, claimed for S. Carolina, fraught with infinitely more certain, immediate and fatal danger! It would reverse the rule of supremacy prescribed in the constitution. It would render the authority of a single state paramount to that of the whole union. For, undoubtedly, that government, to some extent, must be supreme, which can annul and set aside the acts of another.

The securities which the people of other parts of the United States possess against the abuse of this tremendous power claimed for South Carolina, will be found, on comparison, to be greatly inferior to those which she has against the possible abuses of the general government. They have no voice in her councils; they could not, by the exercise of the elective franchise, change her rulers; they could not impeach her judges, they could not alter her constitution nor abolish her government.

Under the South Carolina doctrine, if established, the consequence would be a dissolution of the union, immediate, inevitable, irresistible. There would be twenty-four chances to one against its continued existence. The apprehended dangers of the opposite doctrine, remote, contingent, and hardly possible, are greatly exaggerated; and, against their realization, all the precautions have been provided, which human wisdom and patriotic foresight could conceive and devise.

Those who are opposed to the supremacy of the constitution, laws and treaties of the United States, are adverse to all union, whatever contrary professions they may make. For it may be truly affirmed, that no confederacy of states can exist without a power, somewhere residing in the government of that confederacy, to determine the extent of the authority granted to it by the confederating states.

It is admitted that the South Carolina doctrine is liable to abuse; but it is contended, that the *patriotism* of each state is an adequate security, and that the nullifying power would only be exerted "in an extraordinary case, where the powers reserved to the states, under the constitution, are usurped by the federal government." And is not the *patriotism* of *all* the states, as great a safeguard against the assumption of powers not conferred upon the general government, as the patriotism of *one* state is against the denial of powers which are clearly granted? But the nullifying power is only to be exercised in an *extraordinary* case. Who is to judge of this extraordinary case? What security is there, especially in moments of great excitement, that a state may not pronounce the plainest and most common exercise of federal power, an *extraordinary* case? The expressions in the constitution, 'general welfare,' have been often justly criticised, and shown to convey, in themselves, no power, although they may indicate how the delegated power should be exercised. But this doctrine of an extraordinary case, to be judged of and applied by one of the twenty-four sovereignties, is replete with infinitely more danger than the doctrine of the 'general welfare,' in the hands of all.

We may form some idea of future abuses under the South Carolina doctrine, by the application which is now proposed to be made of it. The American system is said to furnish an *extraordinary case* justifying that state to nullify it. The power to regulate foreign commerce, by a tariff, so adjusted as to foster our domestic manufactures, has been exercised from the commencement of our present constitution down to the last session of congress. I have been a member of the house of representatives at three different periods, when the subject of the tariff was debated at great length, and on neither, according to my recollection, was the want of a constitutional power in congress, to enact it, dwelt on, as forming a serious and plausible objection to its passage. On the last one (I think it was) in which I participated in the debate, it was incidentally said to be against the spirit of the constitution.—Whilst the authority of the Father of the constitution is invoked to sanction, by a perversion of his meaning, principles of disunion and rebellion, it is rejected to sustain the controverted power, although his testimony in support of it has been clearly and explicitly rendered. This power, thus asserted, exercised and maintained, in favor of which, leading politicians in South Carolina have themselves voted, is alleged to furnish "an *extraordinary* case, where the powers reserved to the states, under the constitution, are *usurped* by the general government." If it be, there is scarcely a statute in our code which would not present a case equally extraordinary, justifying South Carolina or any other state to nullify it.

The U. States are not only threatened with the nullification of numerous acts, which they have deliberately passed, but with a withdrawal of one of the members from the confederacy. If the unhappy case should ever occur of a state being really desirous to separate itself from the union, it would present two questions. The first would be whether it had a right to withdraw, without the common consent of the members; and supposing, as I believe, no such right to exist, whether it would be expedient to yield consent. Although there may be power to prevent a secession, it might be deemed politic to allow it. It might be considered expedient to permit the refractory state to take the portion of goods that falleth to her, to suffer her to gather her all together, and to go off with her living. But, if a state should be willing, and allowed thus to depart and to renounce her future portion of the inheritance of this great, glorious and prosperous republic, she would speedily return, and, in language of repentance, say to the other members of this union, Brethren "I have sinned against heaven and before thee." Whether they would kill the fatted calf, and, chiding any complaining member of the family, say "this thy sister was dead and is alive again; and was lost, and is found," I sincerely pray the historian may never have occasion to record.

But nullification and disunion are not the only, nor the most formidable means of assailing the tariff. Its opponents opened the campaign at the last session of congress, and, with the most obliging frankness, have since publicly exposed their plan of operations. It is to divide and conquer; to attack and subdue the system in detail. They began by reducing the duty on salt and molasses, and, restoring the drawback of the duty on the latter article, allowed the exportation of spirits distilled from it. To all who are interested in the distillation of spirits from native materials, whether fruit, molasses or grain, this latter measure is particularly injurious. During the administration of Mr. Adams, the duty on foreign molasses was augmented, and the drawback, which had been previously allowed of the duty upon the exportation of spirits distilled from it, was repealed. The object was to favor native produce, and to lessen the competition of foreign spirits, or spirits distilled from foreign materials, with spirits distilled from domestic material. It was deemed to be especially advantageous to the western country, a great part of whose grain can only find markets at home and abroad by being converted into distilled spirits. Encouraged by this partial success, the foes of the tariff may next attempt to reduce the duties on iron, woollens and cotton fabrics, successively. The American system of protection should be regarded, as it is, an entire and comprehensive system, made up of various items, and aiming at the prosperity of the whole union, by protecting the interests of each part. Every part, therefore, has a direct interest in the protection which it enjoys of the articles, which its agriculture produces or its manufactories fabricate, and also a collateral interest in the protection which other portions of the union derive from their peculiar interests. Thus the aggregate for the prosperity of all is constituted by the sums of the prosperity of each.

Take any one article of the tariff (iron for example) and there is no such *direct* interest in its protection per-

vading the major part of the United States, as would induce congress to encourage it, if it stood alone. The states of Pennsylvania, New Jersey, New York and Kentucky, which are most concerned, are encouraged in the production or manufacture of this article, in consequence of the adoption of a general principle, which extends protection to other interests in other parts of the union.

The stratagem which has been adopted by the foes of the system, to destroy it, requires the exercise of constant vigilance and firmness, to prevent the accomplishment of the object. They have resolved to divide and conquer—the friends of the system should assume the revolutionary motto of our ancestors, "united we stand, divided we fall."—They should allow no alteration in any part of the system, as it now exists, which did not aim at rendering more efficacious the system of protection on which the whole is founded. Every one should reflect, that it is not equal to have a particular interest which he is desirous should be fostered, in his part of the country, protected against foreign competition, without his being willing to extend the principle to other interests, deserving protection, in other parts of the union.

But the measure of reducing the duty on salt and molasses, and reviving the drawback on the importation of spirits distilled from molasses, was an attack on the system, less alarming than another which was made during the last session of congress, on a kindred system.

If any thing could be considered as settled, under the present constitution of our government, I had supposed that it was its authority to construct such internal improvements as may be deemed by congress necessary and proper to carry into effect the power granted to it. For near twenty-five years the power has been asserted and exercised by the government. For the last fifteen years, it has been often controverted in congress, but it has been invariably maintained in that body, by repeated decisions, pronounced, after full and elaborate debate, and at intervals of time implying the greatest deliberation. Numerous laws attest the existence of the power; and no less than twenty-odd laws have been passed in relation to a single work. This power, necessary to all parts of the union, is indispensable to the west. Without it, this section can never enjoy any part of the benefit of a regular disbursement of the vast revenues of the United States. I recollect perfectly well, that, at the last great struggle for the power, in 1824, Mr. P. P. Barbour, of Virginia, the principal champion against it, observed to me, that if it were affirmed on that occasion, (Mr. Hemphill's survey bill), he should consider the question settled. And it was affirmed.

Yet we are told that this power can no longer be exercised without an amendment of the constitution! On the occasion in South Carolina to which I have already adverted, it was said that the tariff and internal improvements are intimately connected, and that the death blow which it was hoped the one had received, will finally destroy the other. I concur in the opinion, that they are intimately, if not indissolubly, united. Not connected together, with the fradulent intent which has been imputed, but, by their nature, by the tendency of each to advance the objects of the other, and of both to augment the sum of national prosperity.

If I could believe that the executive message which was communicated to congress upon the application of the veto to the Maysville road, really expressed the opinion of the president of the United States, in consequence of the unfortunate relations which have existed between us, I would forbear to make any observation upon it. It has his name affixed to it; but it is not every paper which bears the name of a distinguished personage, that is his, or expresses his opinions. We have been lately informed that the unhappy king of England, in perhaps his last illness, transmitted a paper to parliament, with his royal signature attached to it, which became an object of great curiosity. Can any one believe that that paper conveyed any other sentiments than those of his majesty's ministers? It is impossible that the veto message should express the opinions of the president, and I prove it by evidence derived from himself. Not forty days before that message was sent to congress, he approved a bill embracing appropriations to various objects of internal improvement, and among others, to improve the navigation of Conneaut creek. Although somewhat acquainted with the geography of our country, I declare I did not know of the existence of such a stream until I read the bill. I have since made it an object of inquiry, and have been told that it rises in one corner of Pennsylvania, and is discharged into Lake Erie, in a corner of the state of Ohio; and that the utmost extent to which its navigation is susceptible of improvement is about seven miles! Is it possible that the president could conceive *that a national* object, and that the improvement of a great thoroughfare, on which the mail is transported for some eight or ten states and territories, is not a national consideration? The power to improve the navigation of water courses, or where expressly recognized in the constitution, is infinitely more doubtful than the establishment of mail roads, which is explicitly authorized in that instrument! Did not the president, during the canvass which preceded his election, in his answer to a letter from governor Ray, of Indiana, written at the instance of the senate of that respectable state, expressly refer to his votes given in the senate of the United States, for his opinion as to the power of the general government, and inform him that his opinion remained unaltered? And do we not find, upon consulting the journals of the senate, that among other votes affirming the existence of the power, he voted for an appropriation to the Chesapeake and Delaware canal, which is only about fourteen miles in extent? And do we not know that it was at that time, like the Maysville road now, in progress of execution under the direction of a company incorporated by a state? And that, whilst the Maysville road had a connexion with roads east of Maysville and south-west of Lexington, the turnpiking of which was contemplated, that canal had no connexion with any other existing canal?

The veto message is perfectly irreconcilable with the previous acts, votes, and opinions of gen. Jackson. It does not express *his* opinions, but those of his advisers and counsellors, and especially those of his cabinet. If we look at the composition of that cabinet, we cannot doubt it. Three of the five who, I believe, compose it, (whether the post master general be one or not, I do not know), are known to be directly and positively opposed to the power; a fourth, to use a term descriptive of the favorite policy of one of them, is a *non-committal*, and as to the fifth, good Lord deliver us from such friendship as *his* to internal improvements. Further, I have heard it from good authority, (but I will not vouch for it, although I believe it to be true), that some of the gentlemen from the south waited upon the president, whilst he held the Maysville bill under consideration, and told him that if he approved of that bill, the south would no longer approve of him, but oppose his administration.

I cannot, therefore, consider the message as conveying the sentiments and views of the president. It is impossible. It is the work of his cabinet; and if, unfortunately, they were not practically irresponsible to the people of the United States, they would deserve severe animadversions for having prevailed upon the president, in the precipitation of business, and perhaps without his spectacles, to put his name to *such* a paper and send it forth to congress and to the nation.—Why, I have read that paper again and again; and I never can peruse it without thinking of diplomacy, and the name of Talleyrand, Talleyrand, Talleyrand, perpetually recurring. It seems to have been written in the spirit of an accommodating soul, who, being determined to have fair weather in any contingency, was equally ready to cry out, good lord, good devil. Are you for internal improvements! You may extract from the message texts enough to support your opinion. Are you against them? The message supplies you with abundant authority to countenance your views? Do you think that a long and unmterrupted current of concurring decisions ought to settle the question of a controverted power? So the authors of the message affect to believe. But ought any precedents, however numerous, to be allowed to establish a doubtful power? The message agrees with him who thinks not.

I cannot read this regular document without thinking of Talleyrand. That remarkable person was one of the most eminent and fortunate men of the French revolution. Prior to its commencement, he held a bishoprick

under the ill-fated Louis the sixteenth. When that great political storm showed itself above the horizon, he saw which way the wind was going to blow, and trimmed his sails accordingly. He was in the majority of the convention, of the national assembly, and of the party that sustained the bloody Robespierre and his cut-throat successor. He belonged to the party of the consuls, the consul for life, and finally the emperor. Whatever party was uppermost, you would see the head of Talleyrand always high among them, never down. Like a certain dexterous animal, throw him as you please, head or tail, back or belly uppermost, he is always sure to light upon his feet. During a great part of the period described, he was minister of foreign affairs, and although totally devoid of all principle, no man ever surpassed him in the adroitness of his diplomatic notes. He is now, at an advanced age, I believe, grand chamberlain of his majesty Charles the tenth.

I have lately seen an amusing anecdote of this celebrated man, which forces itself upon me whenever I look at the cabinet message. The king of France, like our president, towards the close of the last session of congress, found himself in a minority. A question arose whether, in consequence, he should dissolve the chamber of deputies, which resembles our house of representatives. All France was agitated with the question. No one could solve it. At length they concluded to go to that sagacious cunning old fox, Talleyrand, to let them know what should be done. I tell you what, gentlemen, said he, (looking very gravely and taking a pinch of snuff,) in the morning, I think his majesty will dissolve the deputies; at noon, I have changed that opinion; and at night I have no opinion at all. Now, on reading the first column of this message, one thinks that the cabinet have a sort of an opinion in favor of internal improvements, with some limitations. By the time he has read to the middle of it, he concludes they have adopted the opposite opinion; and when he gets to the end of it, he is perfectly persuaded they have no opinion of their own whatever!

Let us glance at a few only of the reasons, if reasons they can be called, of this piebald message. The first is, that the exercise of the power has produced discord, and to restore harmony to the national councils it should be abandoned, or, which is tantamount, the constitution must be amended. The president is therefore advised to throw himself into the minority. Well—did that revive harmony? When the question was taken in the house of the people's representatives, an obstinate majority still voted for the bill, the objections in the message notwithstanding. And in the senate, the representatives of the states, a refractory majority stood unmoved. But does the message mean to assert that no great measure, about which public sentiment is much divided, ought to be adopted in consequence of that division? Then none can ever be adopted. Apply this new rule to the case of the American revolution. The colonies were rent into implacable parties—the tories every where abounded, and in some places outnumbered the whigs.—This continued to be the state of things throughout the revolutionary contest. Suppose some timid, time-serving whig had, during its progress, addressed the public, and adverting to the discord which prevailed and to the expediency of restoring harmony in the land, had proposed to abandon or postpone the establishment of our liberty and independence, until all should agree in asserting them? The late war was opposed by a powerful and talented party; what would have been thought of president Madison, if, instead of a patriotic and energetic message, recommending it, as the only alternative, to preserve our honor and vindicate our right, he had come to congress with a proposal that we should continue to submit to the wrongs and degradation inflicted upon our country by a foreign power, because we were unhappily greatly divided? What would have become of the settlement of the Missouri question, the tariff, the Indian bill of the last session, if the existence of a strong and almost equal division in the public councils ought to have prevented their adoption? The principle is nothing more nor less than a declaration that the right of the majority to govern, must be yielded to the perseverance, respectability and numbers of the minority. It is in keeping with the nullifying doctrines of South Carolina, and is such a principle as might be expected to be put forth by such a cabinet. The government of the United States, at this juncture, exhibits a most remarkable spectacle. *It is that of a majority of the nation having put the powers of government into the hands of the minority.* If any one can doubt this, let him look at the elements of the executive, at the presiding officers of the two houses, at the composition and the chairmen of the most important committees, who shape and direct the public business in congress. Let him look, above all, at *measures*, the necessary consequences of such an anomalous state of things—internal improvement gone, or going; the whole American system threatened, and the triumphant shouts of anticipated victory sounding in our ears. Georgia extorting, from the fears of an affrighted majority of congress, an Indian bill, which may prostrate all the laws, treaties and policy which have regulated our relations with the Indians from the commencement of the government; and politicians in South Carolina, at the same time brandishing the torch of civil war, and pronouncing unbounded eulogiums upon the president, for the good he has done, and the still greater good which they expect at his hands, in the sacrifice of the interests of the majority.

Another reason assigned in the Maysville message is, the desire of paying the national debt. By an act passed in the year 1817, an annual appropriation was made of ten millions of dollars, which were vested in the commissioners of the sinking fund, to pay the principal and the interest of the public debt. That act was prepared and carried through congress by one of the most estimable and enlightened man that this country ever produced, whose premature death is to be lamented on every account, but especially because, if he were now living, he would be able, more than any other man, to check the extravagance and calm the violence raging in South Carolina, his native state. Under the operation of that act, nearly one hundred and fifty millions of the principal and interest of the public debt were paid, prior to the commencement of the present administration. During that of Mr. Adams, between forty and fifty were paid, whilst larger appropriations of money and land were made, to objects of internal improvements, than ever had been made by all preceding administrations together. There only remained about fifty millions to be paid, when the present chief magistrate entered on the duties of that office, and a considerable portion of that cannot be discharged during the present official term.

The redemption of the debt is, therefore, the work of congress; the president has nothing to do with it, the secretary of the treasury being directed annually to pay the ten millions to the commissioners of the sinking fund, whose duty it is to apply the amount to the extinguishment of the debt. The secretary himself has no more to do with the operation than the hydrants through which the water passes to the consumption of the population of this city. He turns the cock on the first of January and first of July, in each year, and the public treasure is poured out to the public creditor from the reservoir, filled by the wisdom of congress. It is evident, from this just view of the matter, that congress, to which belongs the care of providing the ways and means, was as competent as the president to determine what portion of their constituents' money could be applied to the improvement of their condition. As much of the public debt as can be paid will be discharged in four years by the operation of the sinking fund. I have seen, in some late paper, a calculation of the delay which would have resulted, in its payment, from the appropriation to the Maysville road, and it was less than one week! How has it happened that, under the administration of Mr. Adams, and during every year of it, such large and liberal appropriations could be made for internal improvements, without touching the fund devoted to the public debt, and that this admtnistration should find itself baulked in its first year?

The veto message proceeds to insist that the Maysville and Lexington road is not a national, but a local road, of sixty miles in length, and confined within the limits of a particular state. If, as that document also asserts, the power can, in *no case*, be exercised until it shall have been explained and defined by an amendment of the

constitution, the discrimination of national and local roads, would seem to be altogether unnecessary. What is or is not a national road, the message supposes may admit of controversy, and is not susceptible of precise definition. The difficulty which its authors imagine, grows out of their attempt to substitute a rule founded upon the exterior boundary of the road, instead of the use and purposes to which it is applied. If the road facilitates, in a considerable degree, the transportation of the mail to a considerable portion of the union, and, at the same time, promotes internal commerce among several states, and may tend to accelerate the movement of armies and the distribution of the munitions of war—it is of national consideration. Tested by this, the true rule, the Maysville road was undoubtedly national. It connects the largest body, perhaps, of fertile land in the union, with the navigation of the Ohio and Mississippi rivers, and with the canals of the states of Ohio, Pennsylvania and New York. It begins on the line which divides the state of Ohio and Kentucky, and, of course, quickens trade and intercourse between them. Tested by the character of other works, for which the president, as a senator, voted, or which were approved by him only about a month before he rejected the Maysville bill, the road was undoubtedly national.

But this view of the matter, however satisfactory it ought to be, is imperfect. It will be admitted that the Cumberland road is national. It is completed no further than Zanesville in the state of Ohio. On reaching that point two routes present themselves for its further extension, both national and both deserving of execution. One leading northwestwardly, through the states of Ohio, Indiana, and Illinois, to Missouri, and the other southwestwardly through the states of Ohio, Kentucky, Tennessee, and Alabama, to the Gulf of Mexico. Both have been long contemplated. Of the two, the south-western is the most wanted, in the present state of population, and will probably always be of the greatest use. But the north-western route is in progress of execution beyond Zanesville, and appropriations, towards parts of it, were sanctioned by the president at the last session. National highways can only be executed in sections, at different times. So the Cumberland road was and continues to be constructed. Of all the parts of the south-western route, the road from Maysville to Lexington is most needed, whether we regard the amount of transportation and travelling upon it, or the impediments which it presents in the winter and spring months. It took my family four days to reach Lexington from Maysville in April, 1829.

The same scheme which has been devised and practised to defeat the tariff, has been adopted to undermine internal improvements. They are to be attacked in detail. Hence the rejection of the Maysville road, the Fredericktown road, and the Louisville canal. But is this fair? Ought each proposed road to be viewed separately and detached? Ought it not to be considered in connexion with other great works which are in progress of execution, or are projected? The policy of the foes indicates what ought to be the policy of the friends of the power.

The blow aimed at internal improvements has fallen with unmerited severity upon the state of Kentucky. No state in the union has ever shown more generous devotion to its preservation and to the support of its honor and its interest, than she has. During the late war her sons fought gallantly by the side of the president on the glorious 8th of January, when he covered himself with unfading laurels—Wherever the war raged, they were to be found among the foremost in battle, freely bleeding in the service of their country. They have never threatened nor calculated the value of this happy union. Their representatives in congress have constantly and almost unanimously supported the power, cheerfully voting for large appropriations to works of internal improvements in other states. Not one cent of the common treasure has been expended on any public road in that state. They contributed to the elevation of the president under a firm conviction, produced by his deliberate acts and his solemn assertions, that he was friendly to the power. Under such circumstances, have they not just and abundant cause of surprise, regret and mortification, at the late unexpected decision.

Another mode of destroying the system, about which I fear I have detained you too long, which its foes have adopted, is to assail the character of its friends. Can you otherwise account for the spirit of animosity with which I am pursued? A sentiment this morning caught my eye, in the shape of a 4th of July toast, proposed at the celebration of that anniversary in S. Carolina, by a gentleman whom I never saw, and to whom I am a total stranger. With humanity, charity, and Christian benevolence, unexampled, he wished that I might be driven so far beyond the frigid regions of the northern zone that all hell could not thaw me! Do you believe it was against *me*, this feeble and frail form, tottering with age, this lump of perishing clay, that all this kindness was directed? No, no, no. It was against the measures of policy which I have espoused, against the system which I have labored to uphold, that it was aimed. If I had been opposed to the tariff and internal improvements, and in favor of the S. Carolina doctrine of nullification, the same worthy gentleman would have wished that I might be ever fanned by soft breezes, charged with aromatic odors, that my path might be strewed with roses, and my abode be an earthly paradise.

I am now a private man, the humblest of the humble, possessed of no office, no power, no patronage, no subsidized press, no post office department to distribute its effusions, no army, no navy, no official corps to chaunt my praises and to drink, in flowing bowls, my health and prosperity. I have nothing but the warm affections of a portion of the people, and a fair reputation, the only inheritance derived from my father, and almost the only inheritance which I am desirous of transmitting to my children.

The present chief magistrate has done me much wrong, but I have freely forgiven him. He believed, no doubt, that I had done him previous wrong. Although I am unconscious of it, he had *that* motive for his conduct towards me. But others, who had joined in the hue and cry against me, had no such pretext. Why then am I thus pursued, my words perverted and distorted, my acts misrepresented? Why do more than a hundred presses daily point their cannon at me, and thunder forth their peals of abuse and detraction? It is not against me. That is impossible. A few years more, and this body will be where all is still and silent. It is against the principles of civil liberty, against the tariff and internal improvements, to which the better part of my life has been devoted, that this implacable war is waged. My enemies flatter themselves that those systems may be overthrown by my destruction. Vain and impotent hope! My existence is not of the smallest consequence to their preservation. They will survive me. Long, long after I am gone, whilst the lofty hills encompass this fair city, the offspring of those measures shall remain; whilst the beautiful river that sweeps by its walls shall continue to bear upon its proud bosom the wonders which the immortal genius of Fulton, with the blessing of Providence, has given; whilst truth shall hold its sway among men, those systems will invigorate the industry and animate the hopes of the farmer, the mechanic, the manufacturer, and all other classes of our country-men.

People of Ohio here assembled—mothers—daughters, sons and sires—when reclining on the peaceful pillow of repose, and communing with your own hearts, ask yourselves, if I ought to be the unremitting object of perpetual calumny? If, when the opponents of the late president gained the victory on the 4th of March, 1829, the war ought not to have ceased, quarters been granted, and prisoners released? Did not those opponents obtain all the honors, offices and emoluments of government; the power, which they have frequently exercised, of rewarding whom they pleased and punishing whom they could! Was not all this sufficient? Does it all avail not, whilst Mordecai the Jew, stands at the king's gate?

I thank you, fellow citizens, again and again, for the numerous proofs you have given me of your attachment and confidence. And may your fine city continue to enjoy the advantages of the enterprise, industry and public spirit of its mechanics and other inhabitants, until it vies in wealth, extent and prosperity, with the largest of our Atlantic capitals.

NILES' WEEKLY REGISTER.

SUPPLEMENTARY TO NO 2, VOL. XXXIX, FOURTH SERIES.

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES & SON, AT $5 PER ANNUM, PAYABLE IN ADVANCE.

THE NEWS FROM FRANCE, &c. To dispose of a great mass of important foreign articles, we have issued the present half sheet *extra*, as supplementary to the last number, that the whole may be given and *recorded* at once, though tending to delay the publication of the index and supplement to the volume just finished, but which will soon be ready for delivery,

It will be seen, with other interesting matter, that a complete revolution has been accomplished in France—that the national guards, (disbanded by Louis the 18th), spontaneously re-organized themselves, under *Lafayette*, who commanded them in 1791, and who was 73 years old on the 6th inst.—that the body guards of the king, 20,000 strong, with the gendarmes, &c. were defeated by the people, and the Swiss guards killed, disarmed or routed—that the king and royal family had fled, carrying off the crown, &c.—that a provisional government had been instituted—that there was much fighting and blood-shed in the streets, for two or three days—but that the power of the king, which aimed at absolute dominion, being put down, the inhabitants of Paris, with an astonishing respect for good order, returned to their different occupations, content with the expulsion of the Bourbons—to whom we regard the throne of France as for ever lost, by their imbecility or wickedness. The intelligence has been joyously received by almost every citizen of the United States—and, when it was known at New York in the evening, the *Marseilles* hymn was loudly called for and sung, both in French and English, at the theatre, and received with rapturous applause, the audience joining in its grand chorus. These things were not done in France by a lawless mob—but rather by the concentrated force of worthy persons, knowing their rights and resolved to maintain them. This is shewn by the order of their movements, while yet they seemingly had no leaders, and the moderation with which they used the power suddenly thrown into their hands. The deputies who happened to be in Paris, acted nobly, in forming a provisional head for the direction of public affairs, and the venerable *Lafayette* was, no doubt, induced to accept his old command that he might restrain, or check, the flow of blood which could not altogether be prevented—and guide the whirlwind which others had raised. Such, while in our country, he oftentimes anticipated might again be his lot; and we trust that his warning voice will be better attended to in the present, than it was in the last revolution. It may save the lives of millions of human beings.

Charles X is the brother of Louis 16, who perished on the scaffold, and succeeded his brother Louis 18th, in 1824. He was born in 1757, and is 73 years old—he had two sons, the present dauphin, the duc d' Angouleme, (who married his cousin, the daughter of Louis 16, by whom he has no issue), and the duke of Berri, who was assassinated in 1820, leaving a posthumous son, the duke of Bordeaux, now about 10 years old. The duke of Orleans, who has been appointed lieutenant-general of the kingdom, is first prince of the blood royal after the reigning family; he is 57 years old, has six sons and three daughters, and is immensely rich—all the estates of his father, though he fought at Jamappe under the tri-colored flag during the revolution, being restored to him on the return of the Bourbons to the throne—whom he joined, after the beheading of his father at Paris. He was once in the United States, it is said, and reduced to the necessity of teaching a school in New Jersey. Gen. Gerard, who is Lafayette's lieutenant, was a brave and favorite officer of Napoleon—Lobau, and many others named, are very distinguished men—fully capable of performing the duties assigned them.

The revolution appeared complete, and, if other disturbances should take place in the provinces, it would seem that they must needs be attributable to the indiscretion of the royal party, in resisting the people's will. Charles, himself, might yet have arrested the storm, when the deputation waited upon him; but he treated their propositions with *kingly* contempt—he placed his fortunes on the cast of a die—and lost. Strange, that there was no man of *common sense* in the ministry to advise him—no one that felt the necessity of respecting public opinion!

There is much speculation as to the part which the "holy alliance," and Great Britain (who is not directly a party to that alliance) will take in the present emergency. We shall soon have some light on this momentous subject—events are too *sudden* to form any correct opinion just now. If the "holy alliance" determines that a people cannot have any natural right or conceded power to redress their own wrongs, the restoration of the Bourbons again, by arms, will be speedily attempted; but if it is admitted that kings may do wrong, that they can violate the conditions on which they ascended their thrones—Charles will be left to his fate. In either event, the revolution being established in France, it may be expected that Spain and Portugal will be convulsed; the elements of strife being hardly kept down for several years past. We think that France, undisturbed by foreigners, will soon settle into a limitted monarchy, based mainly on the charter, with some few extensions in favor of the people.

TREATY WITH BRAZIL.

By the president of the United States of America.

A PROCLAMATION.

Whereas, a treaty or general convention of peace, friendship, commerce and navigation, between the United States of America, and his majesty, the emperor of Brazil, was concluded and signed at Rio de Janeiro, on the twelfth day of December, 1828, which treaty or general convention is, word for word, as follows:

In the name of the most holy and indivisible trinity.

The U. States of America and his majesty the emperor of Brazil, desiring to establish a firm and permanent peace and friendship between both nations, have resolved to fix, in a manner clear, distinct and positive, the rules which shall in future be religiously observed between the one and the other, by means of a treaty, or general convention of peace, friendship, commerce and navigation.

For this most desirable object, the president of the United States has conferred full powers on William Tudor their charge d'affaires at the court of Brazil; and his majesty the emperor of Brazil on the most illustrious and most excellent marquez of Aracaty, a member of his council, gentleman of the imperial bed chamber, councillor of the treasury, grand cross of the order of Aviz, senator of the empire, minister and secretary of state for foreign affairs, and Miguel de Souza Mello e Alvim, a member of his council, commander of the order of Aviz, knight of the imperial order of the cross, chief of division in the imperial and national navy, minister and secretary of state for the marine, who, after having exchanged their said full powers, in due and proper form, have agreed to the following articles:

ARTICLE I.

There shall be a perfect, firm and inviolable peace and friendship between the United States of America and their citizens, and his imperial majesty, his successors and subjects throughout their possessions and territories respectively, without distinction of persons or places.

ARTICLE II.

The United States of America, and his majesty the emperor of Brazil, desiring to live in peace and harmony with all the other nations of the earth, by means of a policy frank and equally friendly with all, engage mutually not to grant any particular favor to other nations in respect of commerce and navigation, which shall not immediately become common to the other party, who shall enjoy the same freely, if the concession was freely made,

or on allowing the same compensation, if the concession was conditional. It is understood however, that the relations and conventions which now exist or may hereafter exist between Brazil and Portugal, shall form an exception to this article.

ARTICLE III.

The two high contracting parties being likewise desirous of placing the commerce and navigation of their respective countries, on the liberal basis of perfect equality and reciprocity, mutually agree, that the citizens and subjects of each may frequent all the coasts and countries of the other, and reside and trade there in all kinds of produce, manufactures and merchandize: and they shall enjoy all the rights, privileges and exemptions, in navigation and commerce, which native citizens or subjects do, or shall enjoy, submitting themselves to the laws, decress, and usages, there established, to which native citizens or subjects are subjected. But it is understood that this article does not include the coasting trade of either country, the regulation of which is reserved by the parties respectively, according to their own separate laws.

ARTICLE IV.

They likewise agree that whatever kind of produce, manufactures, or merchandize, of any foreign country, can be from time to time, lawfully imported into the United States, in their own vessels, may be also imported in vessels of Brazil: and that no higher or other duties upon the tonnage of the vessel and her cargo, shall be levied and collected, whether the importation be made in the vessels of the one country or the other. And in like manner, that whatever kind of produce, manufactures, merchandize of any foreign country, can be, from time to time, lawfully imported into the empire of Brazil in its own vessels, may be also imported in vessels of the United States, and that no higher or other duties upon the tonnage of the vessel and her cargo, shall be levied or collected, whether the importation be made in vessels of the one country, or of the other. And they agree that whatever may be lawfully exported, or re-exported from the one country in its own vessels, to any foreign country, may in like manner, be exported or re-exported in the vessels of the other country. And the same bounties, duties and drawbacks, shall be allowed and collected, whether such exportation or re-exportation, be made in vessels of the United States, or of the empire of Brazil. The government of the United States however, considering the present state of the navigation of Brazil, agrees that a vessel shall be considered as Brazilian, when the proprietor and captain are subject of Brazil and the papers are in legal form.

ARTICLE V.

No higher or other duties shall be imposed on the importation into the United States, of any articles the produce or manufactures of the empire of Brazil, and no higher or other duties shall be imposed on the importation into the empire of Brazil, of any articles the produce or manufactures of the United States, than are or shall be payable on the like articles, being the produce or manufactures of any other foreign country: nor shall any higher or other duties, or charges be imposed in either of the two countries, on the exportation of any articles to the United States or to the empire of Brazil respectively, than such as are payable on the exportation of the like articles to any other foreign country: nor shall any prohibition be imposed on the exportation or importation of any articles the produce or manufactures of the United States, or of the empire of Brazil, to or from the territories of the United States, or to or from the territories of the empire of Brazil, which shall not equally extend to all other nations.

ARTICLE VI.

It is likewise agreed, that it shall be wholly free for all merchants, commanders of ships, and other citizens or subjects of both countries, to manage themselves their own business, in all the ports and places subject to the jurisdiction of each other, as well with respect to the consignment and sale of their goods and merchandize by wholesale or retail, as with respect to the loading, unloading, and sending off their ships; they being in all these cases to be treated as citizens or subjects of the country in which they reside, or at least to be placed on a footing with the subjects or citizens of the most favored nation.

ARTICLE VII.

The citizens and subjects of neither of the contracting parties shall be liable to any embargo, nor be detained with their vessels, cargoes, or merchandize or effects, for any military expedition, nor for any public or private purpose whatever, without allowing to those interested, sufficient indemnification.

ARTICLE VIII.

Whenever the citizens or subjects of either of the contracting parties shall be forced to seek refuge or asylum in the rivers, bays, ports or dominions of the other, with their vessels, whether of merchant or of war, public or private, through stress of weather, pursuit of pirates, or enemies, they shall be received and treated with humanity, giving to them all favor and protection, for repairing their ships, procuring provisions, and placing themselves in a situation to continue their voyage without obstacle or hindrance of any kind.

ARTICLE IX.

All the ships, merchandize and effects belonging to the citizens or subjects, of one of the contracting parties, which may be captured by pirates, whether within the limits of its jurisdiction, or on the high seas, and may be carried, or found in the rivers, roads, ports, bays, or dominions of the other, shall be delivered up to the owners, they proving in due and proper form their rights before the competent tribunals: it being well understood, that the claim should be made within the term of one year by the parties themselves, their attorneys, or agents of their respective governments.

ARTICLE X.

When any vessel belonging to the citizens or subjects of either of the contracting parties, shall be wrecked, foundered, or shall suffer any damage, on the coasts, or within the dominions of the other, there shall be given to them all assistance and protection, in the same manner which is usual and customary with the vessels of the nation, where the damage happens, permitting them to unload the said vessel, it necessary, of its merchandize and effects, without exacting for it any duty, impost or contribution whatever until they may be exported, unless they be destined for consumption.

ARTICLE XI.

The citizens or subjects of each of the contracting parties shall have power to dispose of their personal goods within the jurisdiction of the other, by sale, donation, testament or otherwise; and their representatives, being citizens or subjects of the other party, shall succeed to the said personal goods, whether by testament, or *ab intestato*, and they may take possession thereof, either by themselves, or others acting for them, and dispose of the same at their will, paying such dues only as the inhabitants of the country wherein said goods are, shall be subject to pay in like cases: and if, in the case of real estate, the said heirs would be prevented from entering into the possession of the inheritance, on account of their character of aliens, there shall be granted to them the term of three years, to dispose of the same, as they may think proper, and to withdraw the proceeds without molestation, nor any other charges than those which are imposed by the laws of the country.

ARTICLE XII.

Both the contracting parties promise and engage formally to give their special protection to the persons and property of the citizens and subjects of each other, of all occupations who may be in their territories, subject to the jurisdiction of the one or the other, transient or dwelling therein, leaving open and free to them the tribunals of justice for their judicial intercourse, on the same terms which are usual and customary, with the natives or citizens and subjects of the country in which they may be; for which they may employ, in defence of their rights, such advocates, solicitors, notaries, agents and factors as they may judge proper in all their trials at law.

ARTICLE XIII.

It is likewise agreed, that the most perfect and entire security of conscience shall be enjoyed by the citizens or subjects of both the contracting parties in the countries subject to the jurisdiction of the one and the other, without their being liable to be disturbed or molested on account of their religious belief, so long as they respect the laws and established usages of the country. Moreover the bodies of the citizens and subjects of one of the con-

tracting parties who may die in the territories of the other, shall be buried in the usual burying grounds, or in other decent or suitable places, and shall be protected from violation or disturbance.

ARTICLE XIV.

It shall be lawful for the citizens and subjects of the United States of America, and of the empire of Brazil, to sail with their ships, with all manner of liberty and security, no distinction being made who are the proprietors of the merchandize laden thereon, from any port to the places of those who now are, or who hereafter shall be, at enmity with either of the contracting parties. It shall likewise be lawful for the citizens and subjects aforesaid, to sail with the ships and merchandizes before mentioned, and to trade with the same liberty and security, from the places, ports, and havens of those who are enemies of either party, without any opposition, or disturbance whatsoever, not only directly from the places of the enemy before mentioned, to neutral places, but also from one place belonging to an enemy to another place belonging to an enemy, whether they be under the jurisdiction of one power, or under several. And it is hereby stipulated, that free ships shall also give freedom to goods, and that every thing shall be deemed to be free and exempt, which shall be found on board the ships belonging to the citizens or subjects of either of the contracting parties, although the whole lading, or any part thereof should appertain to the enemies of either, contraband goods being always excepted. It is also agreed in like manner that the same liberty be extended to persons who are on board a free ship, with this effect, that although they be enemies to both or either party, they are not to be taken out of that free ship, unless they are officers or soldiers, and in the actual service of the enemies: provided however, and it is hereby agreed that the stipulations in this article contained, declaring that the flag shall cover the property, shall be understood as applying to those powers only, who recognize this principle, but if either of the two contracting parties shall be at war with a third, and the other neutral, the flag of the neutral shall cover the property of enemies whose governments acknowledge this principle, and not of others.

ARTICLE XV.

It is likewise agreed, that in the case where the neutral flag of one of the contracting parties shall protect the property of the enemies of the other, by virtue of the above stipulation, it shall always be understood, that the neutral property found on board such enemy's vessels, shall be held and considered as enemy's property, and as such shall be liable to detention and confiscation except such property as was put on board such vessel before the declaration of war, or even afterwards, if it were done without the knowledge of it; but the contracting parties agree that four months having elapsed after the declaration, their citizens shall not plead ignorance thereof. On the contrary, if the flag of the neutral does not protect the enemy's property, in that case the goods and merchandize of the neutral, embarked in such enemy's ship, shall be free.

ARTICLE XVI.

This liberty of commerce and navigation shall extend to all kinds of merchandizes, excepting those only which are distinguished by the name of contraband; and under this name of contraband, or prohibited goods, shall be comprehended—

1st. Cannons, mortars, howitzers, swivels, blunderbusses, muskets, fuzees, rifles, carbines, pistols, pikes, swords, sabres, lances, spears, halberts, and grenades, bombs, powder, matches, balls, and all other things belonging to the use of these arms:

2dly. Bucklers, helmets, breast-plates, coats of mail, infantry belts; and clothes made up in the form, and for military use.

3dly. Cavalry belts and horses with their furniture;

4thly. And generally all kinds of arms and instruments of iron, steel, brass and copper, or of any other materials manufactured, prepared and formed expressly to make war by sea or land.

ARTICLE XVII.

All other merchandize and things not comprehended in the articles of contraband, expressly enumerated and classified as above, shall be held and considered as free, and subjects of free and lawful commerce, so that they may be carried and transported in the freest manner by both the contracting parties, even to places belonging to an enemy, excepting only those places which are at that time besieged or blockaded: and to avoid all doubt in this particular, it is declared, that those places only are besieged or blockaded, which are actually attacked by a force capable of preventing the entry of a neutral.

ARTICLE XVIII.

The articles of contraband, before enumerated and classified, which may be found in a vessel bound for an enemy's port, shall be subject to detention and confiscation, leaving free the rest of the cargo and the ship, that the owners may dispose of them as they see proper. No vessel of either of the two nations shall be detained on the high seas, on account of having on board articles of contraband, whenever the master, captain or supercargo of said vessels, will deliver up the articles of contraband to the captor, unless the quantity of such articles be so great and of so large a bulk, that they cannot be received on board the capturing ship without great inconvenience: but in this and all the other cases of just detention, the vessel detained shall be sent to the nearest convenient and safe port, for trial and judgment, according to law.

ARTICLE XIX.

And whereas it frequently happens that vessels sail for a port or a place belonging to an enemy, without knowing that the same is besieged, blockaded, or invested, it is agreed that every vessel so circumstanced, may be turned away from such port or place, but shall not be detained, nor shall any part of her cargo, if not contraband, be confiscated, unless, after warning off such blockade or investment from any officer commanding a vessel of the blockading forces, she shall again attempt to enter; but she shall be permitted to go to any other port or place, she shall think proper: Nor shall any vessel of either that may have entered into such port before the same was actually besieged, blockaded, or invested by the other, be restrained from quitting such place with her cargo, nor if found therein, after the reduction and surrender, shall such vessel or her cargo, be liable to confiscation, but they shall be restored to the owners thereof.—And if any vessel having thus entered the port before the blockade took place, shall take on board a cargo after the blockade be established, she shall be subject to being warned by the blockading forces to return to the port blockaded, and discharge the said cargo, and if after receiving the said warning the vessel shall persist in going out with the cargo, she shall be liable to the same consequences as a vessel attempting to enter a blockaded port after being warned of by the blockading forces.

ARTICLE XX.

In order to prevent all kinds of disorder in the visiting and examination of the ships and cargoes of both the contracting parties on the high seas, they have agreed mutually, that whenever a vessel of war, public or private, shall meet with a neutral of the other contracting party, the first shall remain at the greatest distance compatible with making the visit under the circumstances of the sea and wind and the degree of suspicion attending the vessel to be visited, and shall send its smallest boat, in order to execute the said examination of the papers concerning the ownership and cargo of the vessel, without causing the least extortion, violence, or ill-treatment, for which the commanders of the said armed ships, shall be responsible with their persons and property; for which purpose the commanders of the said private armed vessels shall, before receiving their commissions, give sufficient security to answer for all the damages they may commit; and it is expressly agreed, that the neutral party shall in no case be required to go on board the examining vessel, for the purpose of exhibiting her papers, for any other purpose whatever.

ARTICLE XXI.

To avoid all kind of vexation and abuse in the examination of the papers relating to the ownership of the vessels belonging to the citizens and subjects of the two contracting parties, they have agreed, and do agree, that in case one of them shall be engaged in war, the ships and vessels belonging to the citizens or subjects of the other, must be furnished with sea-letters or passports, expressing the name, property and bulk of the ship, as

also the name and place of habitation of the master or commander of said vessel, in order that it may thereby appear that the ship really and truly belongs to the citizens or subjects of one of the parties; they have likewise agreed, that such ships being laden, besides the said sea-letters or passports, shall also be provided with certificates, containing the several particulars of the cargo, and the place whence the ship sailed, so that it may be known, whether any forbidden or contraband goods be on board the same; which certificates shall be made out by the officers of the place whence the ship sailed, in the accustomed form; without such requisites said vessel may be detained, to be adjudged by the competent tribunal, and may be declared legal prize, unless the said defect shall be proved to be owing to accident, and be satisfied or supplied by testimony entirely equivalent.

ARTICLE XXII.

It is further agreed, that the stipulations above expressed, relative to the visiting and examining of vessels, shall apply only to those which sail without convoy: and when said vessels shall be under convoy, the verbal declaration of the commander of the convoy, on his word of honor, that the vessels under his protection belong to the nation whose flag he carries: and when they are bound to an enemy's port, that they have no contraband goods on board, shall be sufficient.

ARTICLE XXIII.

It is further agreed, that in all cases the established courts for prize causes, in the countries to which the prizes may be conducted, should alone take cognizance of them. And whenever such tribunal of either party shall pronounce judgment against any vessel, or goods, or property claimed by the citizens or subjects of the other party, the sentence or decree shall mention the reasons or motives, on which the same shall have been founded, and an authenticated copy of the sentence or decree, and of all the proceedings in the case, shall, if demanded, be delivered to the commander or agent of said vessel, without any delay, he paying the legal fees for the same.

ARTICLE XXIV.

Whenever one of the contracting parties shall be engaged in war with another state, no citizen or subject of the other contracting party, shall accept a commission, or letter of marque, for the purpose of assisting, or co-operating hostilely, with the said enemy, against the said party so at war, under the pain of being treated as a pirate.

ARTICLE XXV.

If, by any fatality, which cannot be expected, and which, God forbid! the two contracting parties should be engaged in a war with each other, they have agreed, and do agree, now for them, that there shall be allowed the term of six months to the merchants residing on the coasts and in the ports of each other, and the term of one year to those who dwell in the interior, to arrange their business, and transport their effects wherever they please, giving to them the safe conduct necessary for it, which may serve as a sufficient protection until they arrive at the designated port. The citizens and subjects of all other occupations, who may be established in the territories or dominions of the United States, and of the empire of Brazil, shall be respected and maintained in the full enjoyment of their personal liberty and property, unless their particular conduct shall cause them to forfeit this protection, which, in consideration of humanity, the contracting parties engage to give them.

ARTICLE XXVI.

Neither the debts due from the individuals of the one nation, to the individuals of the other, nor shares nor money, which they may have in public funds, nor in public or private banks, shall ever in any event of war or national differences, be sequestrated or confiscated.

ARTICLE XXVII.

Both the contracting parties being desirous of avoiding all inequality in relation to their public communications and official intercourse, have agreed and do agree, to grant to their envoys, ministers, and other public agents, the same favors, immunities and exemptions, which those of the most favored nation do, or shall enjoy; it being understood, that whatever favors, immunities or privileges the United States of America or the empire of Brazil may find it proper to give the ministers and public agents of any other power, shall, by the same act, be extended to those of each of the contracting parties.

ARTICLE XXVIII.

To make more effectual the protection which the U. States and the empire of Brazil shall afford in future to the navigation and commerce of the citizens and subjects of each other, they agree to receive and admit consuls and vice consuls in all the ports open to foreign commerce, who shall enjoy in them all the rights, prerogatives, and immunities, of the consuls and vice consuls of the most favored nations: each contracting party however, remaining at liberty to except those ports and places in which the admission and residence of such consuls may not seem convenient.

ARTICLE XXIX.

In order that the consuls and vice consuls of the two contracting parties, may enjoy the rights, prerogatives, and immunities, which belong to them, by their public character, they shall before entering on the exercise of their functions, exhibit their commissions or patent in due form, to the government to which they are accredited: and having obtained their *exequatur*, they shall be held and considered as such, by all the authorities, magistrates, and inhabitants, in the consular district in which they reside.

ARTICLE XXX.

It is likewise agreed, that the consuls, their secretaries, officers, and persons attached to the service of consuls, they not being citizens or subjects of the country, in which the consul resides, shall be exempt from all public service, and also from all kinds of taxes, imposts and contributions, except those which they shall be obliged to pay on account of commerce, or their property, to which the citizens or subjects and inhabitants, native and foreign, of the country in which they reside are subject; being in every thing besides subject to the laws of their respective states. The archives and papers of the consulate shall be respected inviolably, and under no pretext whatever, shall any magistrate seize or in any way interfere with them.

ARTICLE XXXI.

The said consuls shall have power to require the assistance of the authorities of the country, for the arrest, detention and custody of deserters from public or private vessels of their country, and for that purpose they shall address themselves to the courts, judges and officers competent, and shall demand the said deserters in writing, proving by an exhibition of the registers of the vessel or ships roll, or other public documents, that those men were part of said crews: and on this demand so proved, (saving however, where the contrary is proved), the delivery shall not be refused. Such deserters, when arrested, shall be put at the disposal of said consuls, and may be put in the public prisons, at the request and expense of those who reclaim them, to be sent to the ships to which they belonged, or to others of the same nation. But if they be not sent back within two months, to be counted from the day of their arrest, they shall be set at liberty, and shall no more be arrested for the same cause.

ARTICLE XXXII.

For the purpose of more effectually protecting their commerce and navigation, the two contracting parties do hereby agree, as soon hereafter as circumstances will permit them, to form a consular convention, which shall declare specially the powers and immunities of the consuls and vice consuls of the respective parties.

ARTICLE XXXIII.

The United States of America, and the emperor of Brazil desiring to make as durable as circumstances will permit, the relations which are to be established between the two parties by virtue of this treaty, or general convention of peace, amity, commerce and navigation, have declared solemnly and do agree to the following points:

1st. The present treaty shall be in force for twelve years from the date hereof, and further until the end of one year after either of the contracting powers shall have given notice to the other, of its intention to terminate the same: each of the contracting parties reserving to itself the right of giving such notice to the other, at the end of said term of twelve years: and it is hereby agreed between them, that on the expiration of one year after such

notice shall have been received by either, from the other party, this treaty in all the parts relating to commerce and navigation, shall altogether cease and determine, and in all those parts which relate to peace and friendship, it shall be permanently and perpetually binding on both powers.

2ndly. If any one or more of the citizens or subjects of either party shall infringe any of the articles of this treaty, such citizen or subject shall be held personally responsible for the same, and the harmony and good correspondence between the nations shall not be interrupted thereby; each party engaging in no way to protect the offender, or sanction such violation.

3dly. If (which, indeed cannot be expected), unfortunately, any of the articles contained in the present treaty, shall be violated or infringed in any way whatever, it is expressly stipulated, that neither of the contracting parties will order or authorize any acts of reprisal, nor declare war against the other, on complaints of injuries or damages until the said party considering itself offended, shall first have presented to the other a statement of such injuries or damages, verified by competent proof, and demanded justice and satisfaction, and the same shall have been either refused, or unreasonably delayed.

4thly. Nothing in this treaty contained shall however, be construed to operate contrary to former and existing treaties with other sovereigns or states.

The present treaty of peace, amity, commerce and navigation shall be approved and ratified by the president of the United States by and with the advice and consent of the senate thereof, and by the emperor of Brazil, and the ratifications shall be exchanged within eight months from the date of the signature hereof, or sooner, if possible.

In faith whereof we the plenipotentiaries of the United States of America, and his majesty the emperor of Brazil, have signed and sealed these presents.

Done in the city of Rio de Janeiro, this twelfth day of the month of December, in the year of our Lord Jesus Christ one thousand eight hundred and twenty-eight.

Signed,

W. TUDOR, [L.S.]
MARQUEZ de ARACATY, [L.S.]
MIGUEL de SOUZA MELLO e ALVIM, [L.S.]

And whereas, the said treaty or general convention has been duly ratified on both parts, and the respective ratifications of the same have, this day, been exchanged, at Washington, by James A. Hamilton, acting secretary of state of the United States, and the Chevalier Je. Silvestre Rebello, charge d'affaires of his majesty, the emperor of Brazil, on the part of their respective governments:

Now, therefore, be it known, that I, Andrew Jackson, president of the United States of America, have caused the said treaty or general convention to be made public, to the end that the same, and every clause and article thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington, this eighteenth day of March, in the year of our Lord one thousand
[L. S.] eight hundred and twenty-nine, and of the independence of the United States the fifty-third.

ANDREW JACKSON.

By the president:
JAMES A. HAMILTON, *acting secretary of state.*

REVOLUTION IN FRANCE.

Another revolution in France—another deposition of the Bourbons, and the establishment of another new dynasty, or a reign of the passions, has, for years, been expected by every intelligent observer of the elements of which the people and government of that country were composed. With all the horrors of the revolution, which cost Louis the 16th his life, and elevated one who had been an obscure individual to the united thrones of imperial France and royal Italy, the *people* had gained many advantages over the civil and religious *absolutism* which existed under the ancient dominion. Roads, canals and education were attended to, the labor of the country was protected, and laborers honored—a stupid and filthy aristocracy had passed away; and, though the rule of Napoleon, and his lieutenants and nobles, may not have been less strict than that of Louis, there was an *intelligence* in the proceedings of the latter which softened down, or headed, many of their abberations from liberal principles. The *nation* prospered under their care, notwithstanding the extent, and waste of life in the military establishment, and tens of thousands who had theretofore submitted to the dark dominion of the king and his nobles and priests, obtained habits of *thinking*, and ascertained the important fact, that they were *men*—not mere machines to be used for the aggrandizement of irresponsible persons. This habit of thinking was inconsistent with the reign of the Bourbons—who, as Napoleon observed, "learn nothing, forget nothing"—a proud and imbecile race, hardly reasoning animals—more interested in preserving their "divine right" to govern and depress the people, than benefit the country which they claimed as property, or its inhabitants, whom they considered as mere instruments of their own will. The charter given or accepted by Louis the 18th, it was thought, might balance the weakness and lusts of the ancient royalists on the one hand, and restrain the ebullitions of popular feeling on the other; but Louis speedily took to his councils those who, like himself, had "learned nothing," and a strife soon began between the court and the people—one to narrow down the rights and privileges granted by the charter, the other to uphold, if not extend them; and much discontent prevailed. Charles ascended the throne under most favorable circumstances—but without that gentleness of disposition which belonged to his brother, he had all the fulness of his notions about the *dignity* of his throne—all that disregard for *public opinion*, which had marked the infamous course of his early life—that of the count *d'Artois* being associated with almost every offence against public decency and private right: And though professing a fixed resolution to preserve the charter, it soon became manifest that he would regard the chambers, the representatives of the people, as no more than the agents of his own good pleasure, expressed through his ministers. It was a constitutional, but mild, resistance of "*the king wills it*," that caused the rash dissolution of the last chamber, and consolidated, as it were, the discontents of all the thinking classes—of the *productive people*, now enjoying a respectable stand in France, though once regarded as things without the care of the government, unless so far as they paid taxes or carried arms: and every body saw that a crisis was at hand. The ministry hoped the election of a *submissive* chamber, and used the most abominable means, by persecution and bribery, to obtain one. The electors were not to be dragooned or purchased, and nearly all the obnoxious members of the late chamber were re-elected, with many others holding like opinions—and the majority against the *absolutism* of the king was increased from about 40 to more than 100! The chambers had not yet met, and, of course, no act had been committed with which the king might be offended; but with unparalleled audacity, bordering on insanity, he dissolved the chamber, and commanded a new election, materially altering the laws on the subject, *and striking off three-fourths of the voters;* suspended the liberty of the press, and committed other outrages against the charter or the people, as will be seen in the details below—leading to a revolution, which, in this age of wonders, in the most wonderful of all that any man living has witnessed.

But we have not room for much speculation. The preceding brief remarks seemed necessary to introduce the important things which we are about to record, and these we have endeavored, at considerable labor, so to arrange, out of the great mass of matter before us, that the progress of events may be readily seen; and we have collected the scattered facts and brought them to the particular points where they belong, so far as we could.

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From the Paris Moniteur of July 26.

CHARLES, &c. To all to whom these presents come —greeting.

Considering art. 50 of the constitutional charter.

Being informed of the manœuvres which have been practised in many parts of our kingdom to deceive and lead astray the electors during the late operations of the electoral colleges.

Having heard our council, we have ordered and do order,

Art. 1. The chambers of deputies of departments is dissolved.

Art. 2. Our minister secretary of state for the interior is charged with the execution of this ordinance.

Given at St. Cloud the 25th day of July, in the year of our Lord 1830, and of our reign the sixth.

By the king. CHARLES.

The peer of France, minister secretary of state for the department of the interior.

The count PEYRONNET.

—

The following is the ordinance respecting the liberty of the press:—

From the Paris Moniteur of July 25.

CHARLES, &c. To all to whom these presents come —greeting.

Upon the report of our council of ministers, we have ordered and do order the following:—

Art. 1. The liberty of the periodical press is suspended.

Art. 2. The dispositions of articles 1, 2, and 9 of titles 1, of the law of Oct. 21, 1814, are again put in force.

In consequence no journal or periodical or semi-periodical writing established or to be established, without distinction of matters treated by them, can appear, either at Paris, or in the departments, but by virtue of the authorization which the author and printer shall obtain from us separately. This authorization must be renewed every three months. It may be revoked.

Art. 3. The authorization may be provisionally granted and provisionally withdrawn by the prefects, to the journals and periodical or semi-periodical works published or to be published in the departments.

4. The journals and writings published in contravention of art. 2. shall be immediately seized. The presses and types which may have been used in printing them, shall be placed in a public depot under seal, or shall be put out of use.

5. No writing under twenty sheets shall appear without the authorization of our minister secretary of state of the interior at Paris, and of the prefects in the departments. Every writing of more than twenty sheets which shall not constitute a complete work of itself, shall be also required to be authorized. Writings published without authorization, shall be immediately seized. The presses and types which shall have been used in printing them shall be placed in a public depot and under seal, or put out of use.

6. Memoirs of learned or literary societies shall be submitted to the previous authorization, if they treat in the whole or in part of political matters, in which case the measures prescribed in art. 3, shall be applicable to them.

7. Every disposition contrary to the present ordinance shall be void.

8. The execution of the present ordinance shall take place in conformity with the 4th article of the ordinance of the 27th Nov. 1816, and of what is prescribed by that of Jan. 18, 1817.

9. Our ministers secretaries of state shall be charged with the execution of the present ordinance.

Given at our castle of St. Cloud, the 25th of July, 1830, and the sixth of our reign.

By the king. CHARLES.

The president of the council of ministers.

Prince de POLIGNAC.

The keeper of the seals, minister secretary of state and of justice, CHANTELAUZE.

The minister secretary of state for the department of the finances, MONTBEL.

The minister of ecclesiastical affairs and of public instruction,

The count GUERNON RANVILLE.

The minister secretary of state of public works,

Baron CAPELLE.

—

Another ordinance of the same date is mentioned, making some important *alterations in the laws of elections*, to prevent, as is stated in the preamble, the manœuvres which have exercised a pernicious influence over the late operations of the electoral colleges. And by two other ordinances still, several persons are appointed members of the council of state. The decree respecting the election, is said to be in contravention of the charter, and limits the right of suffrage to about one-fourth of the present number of electors. Speaking of these events, the *Messenger des Chambres* of July 26th, says:—

"The measures, which yesterday were feared but not believed, are to-day realized. In consequence of an *expose* to the king, signed by all the ministers, which we shall give to-morrow, the Moniteur contains, and we now publish the two ordinances upon the electoral system and the periodical press; for on these depend all the painful questions of the present moment."

[We have a copy of the ordinance above alluded to—it would occupy room which had better be devoted to other things, for its substance is sufficiently stated.]

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REPORT TO THE KING.

Paris, July 26, 1830.

Sire—Your ministers would be unworthy the confidence with which your majesty had honored them if they longer delayed placing before you a concise statement of our internal situation and to indicate to your highness the dangers arising from the periodical press.

At no period during the last fifteen years has this situation presented itself under a more serious and afflicting aspect. Notwithstanding a prosperity unexampled in the annals of history, signs of disorganization and symptoms of anarchy are manifested upon almost every point of the kingdom.

The successive causes which have conduced to weaken the springs of the monarchial government, operate to-day to alter and change its nature—deprived of its moral force, the civil authority within the capital and in the provinces, maintained but an unequal contest against factions. Pernicious and subversive doctrines openly professed are spread and propagated among all classes of our population—disquietudes too generally accredited agitate the public mind and torment society. From all quarters a guarantee is demanded for future security.

A maliciousness, active, ardent, indefatigable, is at work to overturn the foundations of order and to deprive France of the happiness which she enjoyed under the sceptre of her kings. Active in working discontent and stirring up hatred—it foments among the people a spirit of defiance and hostility against government, and seeks every where to sow the seed of discord and of civil war.

And, sire, recent events have already proved that political feelings confined heretofore to the higher ranks of society, are beginning to be more generally felt, and to excite the popular mass. They have proved also that this mass is not always agitated without danger to those even who strive to secure its repose.

A multitude of facts collected during the course of the late electoral operations, confirm these statements, and afford a too certain presage of new commotions, did not your majesty possess a power of remedying the evil.

To an attentive observer there every where exists a necessity for order, force and permanency, and the disturbances which appear the most opposed to such necessity, are in reality but the expression and testimony of it.

These agitations which cannot be increased without great peril, are almost exclusively produced and excited by the liberty allowed to the press. A law of elections not less prolific in disorders, has without doubt concurred, and assisted to maintain them; but we must deny the evidence of our senses not to see in the periodicals the principal focus of a corruption, the progress of which becomes daily more sensible as the origin of the calamities which threaten the kingdom.

Experience, sire, speaks louder than theory, enlightened even without doubt, whose patriotism cannot be suspected, carried away by the example of a neighboring people, have believed that the advantages of the periodical press would be neutralized by contrary exeesses. It is not so—the proof is decisive and the question is now determined.

At all epochs the periodical press has only been, and from its nature must ever be, an instrument of disorder and sedition.

How numerous and irrefutable are the proofs that may by brought to support this truth. It is by the violent and uninterrupted action of the press that we are to attribute those too sudden and too frequent changes in our internal policy. It has not permitted a regular and stable system of government to be established in France, nor that continued and strenuous efforts should be made to introduce into the various branches of public administration those ameliorations of which they are susceptible. Every ministry since 1814, though formed under different circumstances, and actuated by different impulses, have been exposed to the same attacks and to the same unbridled expressions of passion. Sacrifices of every kind, concessions of power, alliances of party, nothing has been able to protect them from this common destiny. This fact alone, so fertile in reflections, suffices to assign to the press its true and unvariable character. It labors by continuous and persevering efforts, daily repeated, to loosen all the bonds of obedience and subordination, to weaken the springs of public authority, to sink and debase it in the opinion of the people, and to create for it every where embarrassments and resistance.

Its arts consists not in substituting for a credulous submission of the mind the healthy liberty of examinations; but to reduce the most positive truths to problems; not to invite a frank and useful controversy upon political questions; but to present them in a false light and to resolve them by sophisms.

The press has thus disordered the most upright minds, shaken the firmest convictions, and produced in the bosom of society a confusion of principles which favors the most disasterous attempts. Anarchy in doctrines is a preclude to anarchy in the state.

It is worthy of remark, sire, that the periodical press has never fulfilled its most essential condition, namely, publicity. It may appear strange but it is no less true, that there is no publicity in France, taking this word in its just and rigorous acceptation. In the actual state of things, facts when they are not entirely suppositions, are only presented to many millions of readers curtailed, disfigured, and mutilated in a most odious manner. A thick cloud raised by the journals disguises the truth, and in a measure prevents a perfect understanding between the government and the people. The kings, your predecessors, sire, have been desirous freely to communicate with their subjects, but this is a satisfaction which the press is not willing that your majesty should enjoy.

A licentiousness which has outstripped all bounds, even upon the most solemn occasions, and neither respected the express wishes of the king nor the addresses made to them from the throne. The one has been mistaken or perverted, and the others have been the subject of perfidious commentary or bitter derison. It is thus that the last act of royal authority, the proclamation, fell into general discredit even before it was known to the electors.

This is not all—the press has a tendency to subjugate the sovereignty and usurp the powers of the state. The pretended organ of public opinion, it aspires to direct the debates in the two chambers, and it incontestibly exercises an influence upon those debates, no less baneful than deceptive. This dominion in the chamber of deputies, especially for the last two or three years, has assumed a manifest character of oppression and tyranny. We have seen in this interval the journals pursuing with insult and outrage members whose vote appeared to them either uncertain or suspected. Too often, sire, the freedom of the deliberations in this chamber has fallen a sacrifice to the renewed attacks of the press.

We cannot qualify, in more moderate terms, the conduct of the opposition journals in relation to recent events. After having themselves provoked an address, attacking the prerogatives of the throne, they have not scrupled to consider the re-election of the 221 deputies who voted this address, as a matter of principle, notwithstanding your majesty objected to this address as offensive; it attached public reproach to the refusal or concurrence which was there expressed, it announced its unshaken resolution not to defend the rights of your crown so openly compromised. The periodical prints have paid no attention to this, on the contrary they have considered it a duty to renew, to perpetuate, and to aggravate the offence. Your majesty will decide if this rash attack should a longer time remain unpunished.

But of all the excesses of the press, perhaps the most serious remains to be mentioned. From the very commencement of the expedition, the termination of which has thrown a glory, so pure and an eclat so durable upon the noble crown of France, the press has criticised, with a violence unheard of, the causes, the means, the preparatives and chances of success of this expedition. Insensible to national honor, no thanks to it that our ensign does not remain tarnished with the insults of a barbarian. Indifferent to the great interests of humanity, it does not depend upon it that Europe is no longer subject to a cruel slavery and shameful tribute.

This was not enough. By a treason that should be amenable to our laws, the press has engaged itself in publishing all the secrets of the armanent, in making known to the stranger the state of our forces, the number of our troops, that of our vessels, the indication of the points of station, the means to be employed to overcome the inconstancy of the winds, and to land upon the coast. Every thing, even to the place of disembarkation, has been divulged, as if to form a surer means of defence to the enemy, an unexampled circumstance among civilized nations; by false alarms concerning the dangers to be encountered, it has not feared to throw discouragement into the army, and to mark for its hatred even the chief of the enterprize; it has, so to speak, excited the soldiers to raise against him the standard of revolt or to desert their colors. This is what the organs of a party, pretending itself national, have dared to do.

What it dares every day to perform in the interior of the kingdom, tends to nothing less than to disperse the elements of public tranquillity, to dissolve the bands of society, and unless they have deceived themselves, make the earth to tremble under our feet. Let us not fear to reveal the whole extent of our troubles, that we may the better appreciate the extent of our resources. Systematized defamation, organized upon a grand scale, and directed with unexampled perseverance, extends even to the most humble of the public functionaries. No one of your subjects, sire, if he receives the least mark of confidence or satisfaction, is secure from outrage. A large net extending over France, envelopes all the public functionaries impeached before the public; they appear in a manner, shut out from society; none are spared but those whose fidelity wavers; none are praised but those whose fidelity falls a sacrifice—the rest are marked out, sooner or later, to be immolated to popular vengeance.

The press has not manifested less zeal in attacking, with its envenomed darts, our religion and our clergy. Its object is to root out the last germs of religious sentiments. Doubt not, sire, but by attacking the basis of our faith, corrupting the sources of public morals, and by heaping derision and contempt upon the ministers and altars of our holy religion, that it will accomplish its purpose.

No force, we must avow, is capable of resisting so energetic a dissolvent as the press. At all periods when its shackles have been stricken off, it has burst forth and invaded the state. Notwithstanding the diversity of circumstances and the numerous changes of individuals who have occupied the political arena, we cannot but be forciby impressed with the similarity of its effects during the last fifteen years—in a word it is destined to recommence the revolution, the principles of which it has so openly proclaimed. Placed and replaced, at different, intervals under the discipline of the censure, as often as it has regained its liberty, it has recommenced its interrupted work. To insure greater success, it has been sufficiently aided by the departmental press, which by exciting jealousies and local hatreds, by sowing consternation in the bosoms of the timid, and by tormenting the authorities with interminable stratagems, have exercised an almost decisive influence upon the elections.

These last effects, sire, are momentous—the more durable results may be remarked in the morals and character of the nation. A violent lying and passionate polemic school of scandal and licentiousness, produces serious and profound alterations; it gives a false direction to the minds of men, fills them with preventions and prejudices, diverts them from serious investigations, injures also the progress of arts and the sciences, excites among us

continually increasing fermentations, and maintains, even in the bosom of families, fatal dissentions, and may gradually conduct us back to a state of barbarism.

Against such a variety of evils, engendered by the press, law and justice are equally compelled to acknowledge their impotence. It would be superfluous to investigate the causes which have arrested and insensibly rendered useless as a weapon in the hand of power. It is sufficient to interrogate experience and to remark the present condition of things.

The proceedings of the judiciary furnish with difficulty an efficacious repression. This truth, verified by observation, has for a long time been apparent to good minds; it has lately acquired a more marked character of evidence. To satisfy the necessity which gave rise to it, repression should be prompt and powerful—on the contrary, it has remained sluggish, feeble and almost void; when it happens, the injury is committed and the punishment far from repairing the injury, adds to it the scandal of debate.

Juridical proceedings tire; but the seditious press never tires. The one is embarrassed, because there is too much to punish—the other multiplies its forces by multiplying its delinquences.

Under different circumstances, prosecutions have had their different periods of activity or relaxation. But what imparts to the press zeal or lukewarmness on the part of the public minister, it seeks in an increase of its excesses a guarantee to their impunity.

The insufficiency, or rather the inutility of the precautions established by the laws in force, is demonstrated by the above-named facts, and it is equally established that the public security is compromised by the press. It is time, it is more than time, to arrest its ravages.

Listen, sire, to this prolonged cry of indignation and consternation which arises from all parts of your kingdom. Moderate men, good citizens, and the friends of order, raise towards your majesty their supplicating hands. They beseech you to preserve them from the return of those calamities under which our fathers so long groaned. These alarms are too real not to be heard, these wishes are too legitimate not to be listened to.

There is but one means of satisfying them, it is to return to the constitution—if the terms of the eighth article are ambiguous, its measure is manifest. It is certain that the constitution has not conceded the liberty of the press to journals and periodical writings. The liberty of publishing our personal opinions does not certainly imply the right of publishing, by way of speculation, the opinions of others. The one is a use of a faculty that the law is at liberty to grant or to submit to restrictions; the other is a speculation of industry, which like all others, and more than all others, supposes the supervision of public authority.

The meaning of the constitution in this particular is exactly explained by the law, of the 21st of October, 1814; we can place the more reliance upon this, as the law was presented to the chamber the 5th of July, that is to say one month only after the adoption of the constitution. In 1819, an epoch when a contrary system prevailed in the chambers, it was openly proclaimed that the periodical press was not governed by the 8th article—this fact is confirmed by the laws even which have imposed the necessity of a censure upon the journals.

Now, sire it only remains to be decided how this return to the constitution and the law of the 21st of October shall be accomplished. The present serious aspect of affairs has resolved the question.

We must not deceive ourselves—we are no longer in the ordinary condition of a representative government. The principles upon which it was established, have not remained untouched amidst political vicissitudes. A turbulent democracy, which has penetrated even into our laws, is substituted for legitimate power. It disposes of the majority of elections through the means of journals and of societies constituted with similar views; it paralyses as much as in its power, the regular exercise of the most essential prerogative of the crown, that of dissolving the elective chamber. By that, even the constitution of the state is shaken. Your majesty alone retains the power, to preserve and establish it upon its basis.

The right as well as the duty to assure its maintainance is the inseparable attribute of sovereignty. No government upon earth would be stable if it had not the right to provide for its own security. This law is pre-existent to all other laws, because it is founded in the nature of things. These are, sire, maxims which acknowledge the sanction of time and the avowal of all civilians of Europe.

But these maxims have a more decided sanction, that of the constitution itself—the 14th article has invested in your majesty a sufficient power, not certainly to change our institutions, but to consolidate and render them immutable.

Imperious necessity permits you no longer to defer the exercise of this supreme power. The moment has arrived for a recurrence to measures which are in accord with the spirit of the constitution, but which are contrary to legal order; the whole resources of which have been uselessly expended.

These measures, sire, which ought to insure success, your ministers do not hesitate to propose, feeling confident that justice will be assisted by power.

Your majesty's very humble and ever faithful subjects,

The president of the council of ministers, minister of justice, minister of the interior, minister of marine, minister of finances, minister of ecclesiastical affairs, minister of public works.

—

It was thought that the government was intoxicated with having obtained 100 millions of francs at Algiers—supplies by the chambers not being immediately needed. Eighty seven persons of distinguished rank were dismissed from their offices at once—among them the duke de Choiseuil. The decree concerning the press caused much excitement—and some of the publishers boldly declared that they would not respect the ordinance, but resist it to the last extremity. The members elect of the chamber of deputies, then at Paris, immediately assembled, and partially organized themselves. The stocks fell. The people left their various occupations and assembled in groups to commune on the alarming state of things, but remained peaceable. They were astounded—and looked fearfully to the future. The intelligence soon reached the neighboring departments, and every where caused an intense interest. Such was the state of things at Paris on the 26th July, an account of which was received at Boston by the ship Clematis from Havre. But the Hibernia arrived at New York, on the same day that the news reached us from Boston, with London papers of the 3d August, and, before she reached the port, it was known by telegraph, *that a revolution had been accomplished in France*, which we shall now give an account of.

From the Moniteur of the 29th July.

"The deputies present at Paris have found it necessary to assemble to remedy the serious dangers which threatened the security of persons and property. A commission has been appointed to watch over the interests of all, in the entire absence of a regular organization.—Messrs. Andry de Puravieu, comte Gerard, Jaques Lafitte, comte de Lobau, Mauguin, Odier, Casimer Perrier and de Schonen, compose the commission. Gen. Lafayette is commander in chief of the national guard. The national guards are masters of Paris at all points."

A letter from Paris, dated July 29th, says—"The most horrible carnage has taken place in Paris—yesterday till 8 o'clock in the evening, and to-day till noon. The number of killed and wounded is considerable on both sides, but the royal guard was at length repulsed on all points, and the tri-colored flag is hoisted on the Tuilleries. It could never have been supposed that there was such invincible courage in the population of the capital. Every one flew to arms, and this morning Paris could have resisted 100,000 men. The royal guard is now posted along the road to St. Cloud; but it appears that, having received reinforcements from Beauvais, it will attempt another attack this night."

The king, accompanied by the boy called the duke of Bordeaux, and the rest of the royal family, immediately fled—some say to Nantes, other to Rheims, carrying off the crown and crown jewels, &c.

On Saturday the 31st of July, the capital was entirely free from the troops who adhered to the king; all was tranquil in Paris, and the duke of Orleans had, at the request of the deputies, consented to act provisionally as

NILES' WEEKLY REGISTER.

FOURTH SERIES. No. 3—VOL. III.] BALTIMORE, SEPT. 11, 1830. [VOL. XXXIX. WHOLE No. 991

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES & SON, AT $5 PER ANNUM, PAYABLE IN ADVANCE.

☞An extra half sheet precedes the present number—it has enabled us to present and preserve a great quantity of very interesting matter. A large part of the residue of this publication is given up to the insertion of an essay, called "Politics for farmers," in which we have introduced many facts and remarks on the most important subject that engages the mind of the American people, at the present time—and of which we respectfully ask a serious examination. The great length of these has prevented our usual attention to minor matters, but a division of either of them would not have been profitable. The stock of important public papers, &c. waiting insertion, is unusually valuable.

[*French news, continued from the supplement.*]

lieutenant-general of the kingdom. The ministers appointed by the deputies to carry on the business of government, are, baron Louis, for the finances; M. Dupont de L'Eure for the department of justice; general Gerard for war; admiral de Rigny for the marine; M. Bignon for foreign affairs; M. Guizot for public instruction; and M. Casimir Perrier for the interior.

A letter from an English gentleman in Paris, dated August 1st, says:—

"We have emerged from a dreadful crisis. Tyranny has been subdued, and liberty has triumphed. Glory and honor to the Parisians! they have achieved a mighty action. For three days has Paris been a scene of warfare. Blood has flowed in torrents; at least 3000 men have fallen on both sides, some say 5000; but the military are the principal sufferers—The spirit of the people was inconceivable; they successively carried every post, drove the soldiers before them, took the Tuilleries, the Louvre, and all the public buildings by assault. Yesterday, at six o'clock, all Paris was in the hands of the citizens. To their honor be it said, property, public or private, was every where respected. The gates of the city are open, and the streets, which had been torn up by the populace, with the intention of throwing the stones from the tops of the houses upon the military, are repairing."

On the 26th July, marshal Marmont, duke of Ragusa, was invested with the command of the king's troops—on the same day the bank refused to discount bills, and all the manufacturers discharged their workmen; the people assembled in groups in the streets—and some disturbances took place.

On the evening of the same day, the following ordinance was posted up in Paris, which served to increase the agitation already produced:

"We, prefect of police, &c. seeing the ordinance of the king, dated the 25th inst. which put again in force articles 1, 2, and 9, of the law of the 21st of October, 1814, &c. we have ordained and do ordain as follows:—

"Art. 1. Every individual who shall distribute printed writings, on which there shall not be the true indication of the names, profession, or residence of the author and of the printer, or who shall give to the public the same writings to read, shall be brought before the commissary of police of the quarter, and the writings shall be seized.

"2. Every individual keeping a reading room, coffee house, &c. who shall give to be read, journals or other writings, printed contrary to the ordinance of the king of the 25th inst. relative to the press, shall be prosecuted as guilty of the misdemeanors which these journals, or writings, may constitute, and his establishment shall be provisionally closed.

The 27th was a day of great excitement—the police was busy to prevent assemblages of the people—the students in the schools were ordered to remain quiet, and much blood was shed.

On the 28th the presses of the liberal journals were seized. The people rose simultaneously and armed themselves as well as they could, with guns, pikes or bludgeons—the members of the old national guard (dissolved by the late king), assembled and embodied themselves—the populace was attacked by the king's troops, and these, in turn, most gallantly assailed. In this state of things, gen. Gerard took the command—the young men from the schools de Droit and Polytechnique rallied, and furiously fell upon the military, whom they soon defeated. Some of the regiments of the line joined the people. The Swiss guards at the Tuilleries were attacked at 12 oclock, and forced to retreat to the Louvre; they were then again attacked—but, resistance being hopeless, they were allowed to retire from Paris. The *tri-colored* flag floated on the Tuilleries and over Notre Dame! The deputies sent a committee to the king, yet at St. Cloud, but he refused to make any concession. The people assembled in dense masses, crying out "A bas les Bourbons," "A bas les despots"—down with the Bourbons, down with the despots. All the shops that had the insignia of the royal family were attacked and the *affiches* torn down, and trampled under foot. They seized upon arms wherever they could find them, and many lives were lost in obtaining them. None of the mails were allowed to leave Paris, though that for England escaped. The *fleurs de lis* were torn from the postillions. The English and other foreigners, were treated with great respect, but made to call out "*vive la charte.*" The regiments of the line refused to fire on the people, and one of them, being ordered to "present," turned their pieces directly on their colonel, who broke his own sword and retired. Some of the guards du corps were massacred in the streets. The Palais Royal was a scene of great devastation. Many curses were heaped on the king, by his friends, because that he had abandoned them. The revolution, so far as it respected Paris, now seemed almost complete; and full power was in the hands of the people, and those whom they preferred to direct them.

On the 29th it was reported that the king had agreed to abdicate in favor of his son, or the duke of Bordeaux, after which he fled. Lafayette was now in command of the national guards, and the duke of Orleans declared lieutenant of the kingdom. It was known that the troops of the line at Lyons and other places had joined the people. The inhabitants of Versailles were in arms. A deputation from Lisle offered 5,000 troops and Rouen 40,000, to the provisional government, which was quietly exerting itself for the restoration of order. The *Marseilles' hymn* was chanted in the streets. The national guards were every where ready for action. The tri-colored flag now floated over a large part of France—intelligence of events in the capital being communicated by telegraphs.

Nothing very material appears to have happened on the 30th. The people were settling down into quietness, cheered by good news from all quarters of France. The *Journal des Debats* of this date, says—"For three days Paris has been fired upon with cannon and grape shot! It was a taking by storm; blood flowed in the streets. The fire of the musketry was more terrible and more murderous than on the 30th of March, 1814. At that time it was the Cossacks, the Russians, and the Austrians who fired; to-day it is French soldiers—it is those whom we pay who desolate Paris with fire and the sword.

"And who has ordered this massacre? The ministers of the king of France. It is they who have plunged the capital, during three days, into all the horrors of war. And why, great God! all these terrible things? Because they have violated the charter, and conspired to re-establish absolute power.—They have proceeded from crime to massacre. They have been the insolent violators of their oaths, before they were the sanguinary executioners of their fellow citizens.

"Such then is the reward of fifteen years' obedience! Such is the reward of fifteen milliards paid with the sweat and the suffering of the people!

"What an impudent derision of every thing that men revere!

"The imagination is confounded at the sight of so many crimes, meditated, ordered, and executed. Our liberties falling under the stroke of illegal ordinances; our fellow citizens under the fire of the cannon and the musketry, and exposed to the prey of all the violence of military government.

"No more justice, no more laws, nor magistrates! Force against the laws, force against the citizens.

"And this brutal force, how has it been broken by the anger of the capital? Our enemies have thrown themselves out of the pale of the laws. Let them remain there. We can now do what we will; and what we have always desired: what we still desire is the reign of the laws—what we desire is public tranquillity.

"After the glory of so noble a resistance, and when our victory shall be complete, we will hasten to return to order and to public peace—to that order which our enemies have attempted to overthrow—to that peace which they have so cruelly stained with blood. We will show what a people is that did not desire a revolution—that takes arms against whoever dares to attempt one—that breaks the power of the attack, and, glorious and triumphant, returns to legal order through a thousand dangers heroically endured.

"The national guard is reorganized. Let every good citizen who has a musket join the standard. A municipal commission of Paris is formed. Let every good citizen who wishes for peace place himself under its authority. This commission has promised to save the people: it will keep its promise.

On the 31st, a letter says—"The streets are now crowded with persons laughing and as gay as if they had come from a dance. The king had yesterday 15,000 men with him at St. Cloud, all chosen for their loyalty. The greatest part have left him, and the tricolored flag is now floating over the palace of St. Cloud. Never was there a more glorious week for France. During all the excitements not a single excess was committed. The national guards are parading before all the public places. Some of them the poorest looking devils imaginable, but all conducting themselves as well as possible. The bankers and the first people in the place have joined the national guards. All Paris is now armed. The united French army would not be able to put down the spirit now existing!"

The Messager des Chambres says—"Charles X. is at Chartres. The court intends to go to the Loire to organize the scourge of civil war in the ancient Vendee. They are accompanied only by the Swiss. The royal guard, in a state of complete discouragement, disorganization and desertion, have remained at St. Cloud and Versailles with the artillery.

"The despatches seized at the post-office, and intended for the ambassadors, have been delivered to them unopened. They were sensible to this attention, and have complimented the citizens on their bravery and moderation in victory.

"The sight of public order and respect for property, after three days battle, and in the absence of all authority, have inspired all foreigners at Paris with the most lively admiration. The English in particular, are transported at what they have seen. 'Oh, great nation!' cried they."

☞We shall now proceed to give the public papers, to be followed by such miscellaneous articles and remarks as shall appear necessary to as correct an understanding of the events which have happened in France, as the *hurried* state of the information received will admit of—

"The following manifesto is preceded by a letter, dated Paris, 27th July, subscribed—"By authorization, the secretary of the preparatory re-union of free-Frenchmen, D. M.' which begins by stating, 'I am charged to transmit to you, with a request to insert it in your next number, the following document, which, after deliberation, was adopted this day by a numerous assembly, met spontaneously in order to concert the measures which circumstances render necessary and indispensable for the preservation of our rights, and the establishment of a true constitutional government.'

"*Manifesto to the French—to all people and to all governments.*

"A solemn act had, in 1816, laid the basis of a reconciliation between the French nation and the ancient dynasty, and fixed the conditions by which the chief of the Bourbon family should resume and preserve the exercise of the royal authority—reiterated oaths have at different epochs rendered more imperious the obligations contracted by the chiefs of this family, and had made their charter the sole title to the obedience of the French. All these oaths have been violated during the last sixteen years, by the establishment of a great number of laws, opposed in their spirit and letter to the spirit of the constitutional charter; but each of the attempts hitherto made against this fundamental law had an appearance of legality, and had not exceeded legislative forms, which, while they had been preserved, offered the means of reparation. The French nation, with an equanimity which has been often called indifference or weakness, has supported itself against all the inroads of power, all the attacks against its rights, which, made by the different administrations which had succeeded each other under the reign of the astute Louis XVIII. as under that of his successor. The national patience, instead of bringing back the government to the sentiments of justice, of confidence, of benevolence, had, on the contrary, inspired it with sufficient audacity to march more openly to the overthrow of our institutions; to the spoliation of all our rights—to the establishment of those principles of divine right; of those royal prerogatives which are in opposition to the interests and the prerogatives of the people, which cannot be regarded otherwise than as an outrage to human reason, and which England first stigmatized with her anathemas, and destroyed by her arms. The ordonnances of the 25th of the present month, in abolishing the principal guarantees consecrated by the constitutional charter, have set at naught the positive terms of that charter, and of well considered laws, adopted by the two chambers, and sanctioned by the king according to legal forms, have at length taught the nation that the chief which she had deigned to acknowledge, notwithstanding four years of vices, of corruptions, and of treasons against his country, wished to govern it by his own will, and according to the caprices of his own good pleasure. By these ordonnances the chief of the government has placed himself *above the law;* THEREFORE HE HAS PUT HIMSELF OUT OF THE PALE OF THE LAW.

"In consequence of Charles Philip Capet, formerly count of Artois, has ceased of right to be king of France; the French are released from all their obligations to him in that character. All the ordonnances which he may promulge will be like those of the 25th, null, and as if they have never been given. The ministers composing the government of the ex-king, named Polignac, Peyronnet, Montbel, d'Haussez, de Chantelause, and Guernon Ranville, are declared attainted and convicted of high treason. It is the duty of all Frenchmen to resist, by every means in their power, the orders of Charles Philip Capet, or his agents, under whatever denomination they may present themselves—to refuse payment of all imposts, and to take arms, if it should be necessary, to put an end to a government *de facto*, and to establish a new government *de jure*

The army is released from its oaths of fidelity to the ex-king—its country invokes its concurrence. Charles Philip Capet—his self styled ministers or counsellors, their abettors and adherents, the generals, the chiefs of regiments and officers, are responsible for every effusion of blood resulting from the resistance of the government *de facto* to the national will.

Louis Philip of Orleans, duke of Orleans, is called upon to fulfil, under the present circumstances, the duties which are imposed upon him, and to concur with his fellow-citizens in the re-establishment of a constitutional government; and on his refusal to do so, he must, with his family, quit the French territory until the perfect consolidation of the new government has been effected.

"Voted in session at Paris, 27th day of July, 1830.

(Signed) "T. S. provisional president,
"G. De M. } provisional
"J. Du D. } secretaries."

From the Journal des Debats.

"PROTEST OF THE DEPUTIES.

"The undersigned, regularly elected by the colleges of arrondissements, by virtue of the royal ordinance of the ——, and conformably to the constitutional charter, and to the laws relative to elections of the ——, and who are now at Paris,

"Consider themselves as absolutely obliged by their duties and their honor to protest against the measures which the advisers of the crown have lately caused to be proclaimed for the overthrow of the legal system of elections, and the ruin of the liberty of the press.

"The same measures contained in the ordinances of the —— are, in the opinion of the undersigned, directly contrary to the constitutional rights of the chamber of peers, to the public rights of the French, to the attributes and to the decrees of the tribunal, and calculated to throw the state into a confusion, which equally endangers the peace of the present moment, and the security of the future.

"In consequence, the undersigned, inviolably faithful to their oath, protest in concert, not only against the said measures, but against all the acts which may result from them.

"And considering, on the one hand, that the chamber of deputies not having been constituted, could not be legally dissolved—on the other, that the attempt to form a new chamber of deputies in a novel and arbitrary manner, is directly opposed to the constitutional charter, and to the acquired rights of the electors—the undersigned declare that they will still consider themselves as legally elected the deputation by the colleges of the arrondissement and departments whose suffrages they have obtained, and as incapable of being replaced, except by virtue of elections made according to the principles and forms prescribed by the laws. And if the undersigned do not effectively exercise the rights nor perform all the duties which they derive from their legal election, it is because they are hindered by absolute violence. Many deputies are expected at Paris to-morrow or the day after. Among those who have already signed are M. M. Labbey de Pompiere, Sebastiani, Mechin, Perier (Casimer), Guizot, Andry de Puyraveau, Andre Gollot, Gaetan de la Rochefoncald, Mauguin, Bernard, Voison de Gartempe, Froidefont de Bellisle, Villemain, Didot, (Firmin) Daunou, Persil, Villemot, De la Ribossiere, Bondy, (Compte) Duris, Delresne, Girod d'Ain, Laisne de la Villeveque, Delessert, (Benjamin) Marchal, Nau de Champlouis, comte de Lobau, baron Louis, Millianx, Estourmel, (comte) Montguyon, (comte) Levaillant, Tronchon, Gerard, (general) Lafitte, (Jacques) Garcias, Dugas Montbel, Camile Perrier, Vassal, Alexandre Delaborde, Jaques Lefebvre, Mathieu Dumas, Eusebe Salverte, De Poulmer, Hernoux, Chardel, Bavoux, Charles Dupin, Heiy d'Hoyssel, Eugene d'Harcourt, Baillot, Lafayette, (general) Lafayette, (Georges) Jouvencal, Berten de Vaux, Comte de Lameth, Berard, Duchaffaut, Auguste de St. Aignan, Keratry, Ternaux, Jaques Odier, Benjamin Constant, &c. &c. &c.

"PROCLAMATION.

Addressed to the French by the deputies of departments assembled at Paris.

"Frenchmen!—France is free. Absolute power raised its standard—the heroic population of Paris has overthrown it. Paris, attacked, has made the sacred cause triumph by arms which had triumphed in vain in the elections. A power which usurped our rights and disturbed our repose, threatened at once liberty and order. We return to the possession of order and liberty.—There is no more fear for acquired rights—no more barrier between us and the rights which we still want. A government which may without delay secure to us these advantages is now the first want of our country. Frenchmen, those of your deputies who are already at Paris, have assembled, and till the chambers can regularly intervene, they have invited a Frenchman who has never fought but for France,—the duke of Orleans,—to exercise the functions of lieutenant-general of the kingdom.—This is, in their opinion, the surest means promptly to accomplish by peace the success of the most legitimate defence.

"The duke of Orleans is devoted to the national and constitutional cause. He has always defended its interests, and professed its principles. He will respect our rights, for he will derive his own from us. We shall secure to ourselves by laws all the guarantees necessary to liberty strong and durable.

"The re-establishment of the national guard, with the intervention of the national guards in the choice of the officers.

"The intervention of the citizens in the formation of the departmental and municipal administrations.

"The jury for the transgressions of the press; the legally organized responsibility of the ministers, and the secondary agents of the administration.

"The re-election of deputies appointed to public offices we shall give at length to our institutions, in concert with the head of the state, the developements of which they have need.

"Frenchmen—the duke of Orleans himself has already spoken, and his language is that which is suitable to a free country.

" 'The chambers,' says he, 'are going to assemble; they will consider of means to insure the reign of the laws and the maintainance of the rights of the nation.'

"The charter will henceforth be a truth."—*Imprimerie du temps.*

From the Journal du Commerce, Paris, July 31, noon.

Inhabitants of Paris,—the deputies of France at this moment assembled at Paris, have expressed to me the desire that I should repair to this capital to exercise the functions of lieutenant-general of the kingdom.

"I have not hesitated to come and share your dangers, to place myself in the midst of your heroic population, and to exert all my efforts to preserve you from the calamities of civil war and of anarchy.

On returning to the city of Paris, I wore with pride those glorious colours which you have resumed, and which I myself long wore.

"The chambers are going to assemble, they will consider of the means of securing the reign of the laws, and the maintainance of the nation.

"The charter will henceforward be a truth.

"LOUIS PHILIPPE D'ORLEANS."

(*Extraordinary supplement to the Monteur, July* 31.)

Paris, July 31.

It has been necessary to designate for each branch of the public administration, commissioners to replace, provisionally, the administration which has just fallen with the power of Charles X.

The following are appointed provisional commissioners: for the department of justice, M. Dupont de l'Eure; finance, baron Louis; war, general Gerard; marine, M. de Rigny; foreign affairs, M. Bignon; public instruction, M. Guizot; interior and public works, M. Cassimir Perrier. (Signed)

Lobau, *M. de Puyraveau,*
Mauguin, *De Schonen.*

Paris, Hotel de Ville, July 31.

The municipal commission has found itself called upon to assure itself of the preservation of the crown diamonds. The usual depository of that precious public property has declared that the diamonds have been withdrawn by M. de la Bouillerie. His receipt is deposited at the municipality. The court has quitted St. Cloud in haste. It is hoped that the crown diamonds will be restored to the depot. This is a question of probity, wholly independent of politics, from which princes can no more free themselves than private individuals. Besides M. de la Bouillerie, who signed the receipt, is personally responsible, and the rigor of the laws relative to public officers would be applied to him.

Municipal commission of Paris, July 31.

"Inhabitants of Paris!—Charles X, has ceased to reign over France. Not being able to forget the origin of his authority, he has always considered himself the enemy of our country and of its liberties, which he could not understand. After having clandestinely attacked our institutions by all the means which fraud and hypocrisy gave him, he resolved, when he thought himself strong enough, to destroy them openly, to drown them in the blood of the French. Some instants have sufficed to annihilate this corrupted government, which has been only a permanent conspiracy against the liberty and prosperity of France. The nation alone is standing adorned with those national colours which it has conquer-

ed with its blood. It will have a government and laws worthy of itself."

The remainder of this proclamation is a panegyric on the inhabitants of Paris.

Staff of the national guard.

OFFICIAL.

Sent to the municipality of Paris.

General Lafayette announces to the mayors and members of the different arrondissements, that he has accepted the command in chief of the national guard, which has been offered to him by the voice of the public, and which has been unanimously conferred upon him by the deputies now assembled at the house of M. Lafitte. He invites the mayor and municipal committees of each arrondissement to send an officer to receive the orders of the general at the town hotel, to which he is now proceeding, and to wait for him there.

By order of gen. LAFAYETTE,
Member of the constitutional municipal committee of Paris.

LAFITTE, LOBAU,
CASSIMIR PERRIER, ODIER.
GEN. GARARD,

Proclamation.

"Fellow citizens,—You have, by an unanimous acclamation, elected me your general. I shall prove myself worthy of the choice of the Parisian national guard.—We fight for our laws and our liberties.

"Fellow citizens,—Our triumph is certain. I beseech you to obey the orders of the chiefs that will be given you, and that cordially. The troops of the line have already given way. The guards are ready to do the same. The traitors who have excited the civil war, and who thought to massacre the people with impunity, will soon be forced to account before the tribunals for their violation of the laws and their sanguinary plots.

"Signed at general quarters,
"Le general du Bourg,
"Paris, July 29. "LAFAYETTE."

The deputies, Messrs. gen. Gerard, count de Lobau, Lafitte, Cassimir Perrier, and Mauguin, went, amidst the fire of musketry, to the marshal duke of Ragusa. M. Lafitte spoke, and represented to the marshal the deplorable state of the capital, blood flowing in all directions, the musketry firing as in a town taken by storm; he made him personally responsible, in the name of the assembled deputies of France, for the fatal consequences of so melancholy an event.

"The marshal replied—'the honor of a soldier is obedience.' 'And civil honor,' replied M. Lafitte, 'is not to massacre the citizens.' Then the marshal said, 'but, gentlemen, what are the conditions you propose?' 'Without judging too highly of our influence, we think that we can be answerable that every thing will return to order on the following conditions:—the revocation of the illegal ordinances of the 26th of July, the dismissal of the ministers, and the convocation of the chambers on the 3d of August.

"The marshal agreed that, as a citizen, he might, perhaps, not disapprove; nay, might even participate in the opinions of the deputies; but that, as a soldier, he had his orders, and had only carried them into execution—that, however, he engaged to submit these proposals to the king in half an hour.

"'But (said the marshal) if you wish, gentlemen, to have a conference on the subject with M. de Polignac, he is close at hand, and I will go and ask him if he can receive you.'

"A quarter of an hour passed; the marshal returned with his countenance much changed, and told the deputies that M. de Polignac had declared to him, that the conditions proposed rendered any conference useless.

"'We have, then, civil war,' said M. Lafitte.

"The marshal bowed, and the deputies retired."

When marshal Marmont appeared before the dauphin, the prince broke out into the most violent and contemptuous expressions. It is affirmed that he said, "You have treated us as you did others." The marshal promised, even on the 29th, to hold out fifteen days; he did not hold out fifteen hours. The marshal has not betrayed them; on the contrary, he caused the cannon to be pointed against the citizens with the bitterest hostility.

Miscellaneous.

The chamber of deputies was to meet on the 3d August. The Swiss and royal guards who surrendered, were disarmed, but well treated. The supply of provision at Paris was ample, and the markets were opening, as heretofore, and well furnished. The high dignitaries of the church seem to have generally fled—the inferior priests also kept themselves concealed, though no particular acts of violence had been committed on any of them, except at the archbishop's palace, where some of the canons and pupils were so imprudent as to fire on the people in the streets—they were overpowered, and some of them killed, and the palace pillaged and all the furniture broken. There were some cries for a republic, some for Napoleon the 2d, and others for the duke of Orleans, as king—but the people did not at all appear resolved on what they desired, except the expulsion of the Bourbons. The general order observed, amidst so much excitement, has caused much astonishment.—Peaceful persons have not been at all molested, and private property, except in arms, was wonderfully respected. The court sent troops to arrest the duke of Orleans—but missed him, and he was then declared an out-law. The duke fought at Jemappe in 1789, and is 57 years old—son of the famous Egalite, who was beheaded in the revolution. The king and the dauphin cried "vive le charte" at St. Cloud—but an "expressive silence" in the people near him followed, the Swiss only calling out "vive le roi." At the latest accounts, the inhabitants of Paris had generally returned to their usual occupations, the city was tranquil, and the banks reopened.

DETAILS OF THE LATE CONFLICTS IN PARIS.

[*In a letter from Paris received at London.*]

Paris, July 30.

A postscript to my private note to you on Tuesday evening, was couched in these terms: "We are in for a revolution."

On Tuesday (27th) evening matters began to wear a very serious aspect. The gend'armes posted on the Place du Palais Royal were incessantly attacked, by what you in London would call a mob of dandies, with a perseverance and a desperation of which all the riots, revolts, tumults, or revolutions in England afford no example. They were supported, it is true, by the young bourgeois, and by the lower classes, but the majority, at five o'clock, were Paris fops, with rattans in their hands and pistols in their pockets. Some of them were killed. Wishing to see something of the matter, I took a cabriolet, and attempted to drive through the Place du Palais Royal, and got into the thick of the fight. The cab-driver had been a chasseur a cheval of the imperial guard. When we reached the tails of the horses of the line of gend'armes posted opposite the rue Froidmanteau, the excitement was too much for him. The people were charged by the cavalry—fired their pistols in their faces, retired, and returned to the attack, with cries of *Vengeance!—Liberte!—A bas le roi!—vive la charte!—vive l'empereur—vive Napoleon II!—la mort a Polignac!—la mort a Peyronnet!—liberte ou la mort!* This was too much for my *cocher*. He lost his head, and charged the gend'armes, *en arriere*, with his miserable old horse. I seized the reins and checked him, knowing how much he was compromising our safety, but it was in vain, for rising on his feet, and flourishing his *casquette* over his head, he roared with all his power, *vive l'empereur!*

Heaven knows, I am in no humour for provoking a smile, but this, and a few other trifling incidents, will better prove the state of the city, and of the parties, than a full description.

Determined, as some imagined the gend'armes to be at that time, I fancied I saw, thus early, symptoms of fear and indecision among them. Still they fought with certainty and desperation, but every moment their assailants were reinforced by boys, workmen, clerks, students, coachmen, and, in short, all classes. The firing became every moment more sharp.

I returned home, and after dinner was making my way again to the Palais Royal, when I met a band of men in the rue Vivienne, bearing the corpse of one of their unhappy comrades. As they passed the rue Colbert, where there was (*was*, indeed!) a Swiss post, their cries of

vengeance were frightful. They took the body to the Place de la Bourse, stripped and exhibited it, surrounded by candles, and amid unceasing cries of 'Vengeance!' and 'Aux armes, aux armes!' The report of an odd shot fell upon the ear at intervals; but although the streets were crowded, no other sound was heard save those above mentioned. A little later, and the lanterns were smashed, their long cords left dangling in the centre of the street, bringing to mind the dreadful use made of them 41 years before. At 10 o'clock the wooden guard house of the Place de la Bourse was attacked, the gend'armes expelled, and the guard-house itself set on fire. A party of sapeurs pompiers (firemen) arrived to extinguish the flames, but they would not be allowed to act, and suffered themselves to be disarmed.

Later, all the armourers' shops in Paris were attacked, and every weapon carried off. At eleven o'clock comparative quiet reigned throughout Paris; but the nature of such a calm could not be misunderstood. At four o'clock in the morning the people began to assemble at many points, but principally in the rue St. Honore. The well dressed mob of the preceding day reappeared, and reinforced, but were outnumbered by the terrible men from the faubourgs of St. Antoine and Marceau. The Tuilleries were approached, but no act of hostility occurred up to ten o'clock. In the mean while the brave of the *ci-devant* garde nationale began to assemble on the Boulevards, in the Place de Greve, and in other places, with the certainty of death, if defeated. At the same moment a new and most important incident occurred. The students of the Ecole Polytechnique, having been dismissed without their swords, (lads of from fifteen to twenty-three years of age), joined the people nearly to a man, then separated, proceeding singly to different parts to take the command of the people, or rather to receive it from them: and nobly did they repay the confidence so placed in them. In an hour an immense force was brought to bear on several points! The Hotel de Ville was attacked, carried, and became the *point d'appui*. The depot of artillery in the rue du Bac (St. Thomas d'Aquin) was equally carried, and the cannon carried off the most important points, and worked with amazing coolness and effect for 12 hours by those heroic youths. The Tuilleries were attacked, and defended by the 3d regiment of the garde royale, (all of whom were *Vendeans*); they were the first soldiers who fired on the people on Wednesday.—Early in the day the sapeurs pompiers surrendered. A large proportion of the gend'armes soon afterwards followed their example. I should have said earlier that the whole garrison of Paris had been ordered out on the preceding night. The 5th regiment were ordered—"Make ready!" to fire on the people on the Boulevard. They did so. "Present!"—and they turned their pieces on their colonel, waiting with singular coolness for the word "fire!" That officer immediately broke his sword upon his knee, tore off his epaulettes, and retired. The people threw themselves into the arms of the soldiers, who received their embrace, but maintained their position. "*Vive la ligne!*" (regiments of the line), was, in consequence, during the night, and ever since, a constant exclamation of the people.

At ten o'clock I went to the Place du Carousel. In the rue Richelieu, and all the neighbourhood of the rue St. Honore, the parties were *en face*. The 3d guards maintained the appearance of determination to fight. The people were accumulating frightfully. Not a word was spoken. The garden of the Tuilleries was closed. In the Place du Carousel I found three squadrons of lancers of the garde royale, a battalion of the 3d regiment of the garde, and a battery of six pieces, also of the garde. The Tuilleries and Louvre were occupied by a regiment of Swiss guards. Unhappy men! the example of former days was lost upon them. They have perished!

A few soldiers of the garde were eating their breakfast—all the rest, to whom I have referred, were on the *que vive*, ready to mount or fall in.

I passed on to the Quai du Louvre. The pont des arts (a wooden bridge for foot passengers opposite the Louvre) and the palace of the institute, were so crowded that I turned, fortunately, to the pont royal. At that moment a dreadful tiraillade was heard in the direction of the place de Greve. It was answered by a rolling fire in every direction, and in five minutes 15,000 of the finest troops in the world found themselves engaged with citizens, variously armed. Here was a small party of elderly men, national guards, who, with a *sang froid* only equalled by that of the beardless students of the Polytechnic school, opened their fire on the garde royale—horse and foot, and artillery, French and Swiss, taking special care to avoid injuring the regiments of the line, who remained grave spectators of the slaughter that ensued. In another direction might be seen the ferocious Federes of the quarters St. Antoine and Marceau, with their pikes of 1815, or other less terrible-looking weapons—thousands of women and unarmed people looking on and encouraging the popular party.

For ten hours the war raged incessantly. On every hand, without intermission, musketry rolled, cannons thundered, shouts and cries were heard. I proceeded to a remote quarter of the town, which I found quiet as on ordinary occasions, but the cruel certainty that death ensued among the combatants every instant, the still more appalling doubt respecting the event, the dread of danger which menaced every man in Paris, and the doleful tolling of the tocsin, produced sensations the nature of which may be conceived.

I had sat for hours, at a window overlooking the city, with a colonel of the old imperial guard. His face was immoveable, but he spoke not a word. His practised ear detected what I could not have discovered, for, although a league and a half from the hotel de Ville, the first words he uttered for two hours, burst from the lips with a tone of triumph, "*Nous avons in point d'appui la.*"

The hotel de Ville had surrendered, and the new sound proceeded from the victor and the retreating enemy. The "*line*" (the regiments of the line) fired no shot during the day. The 63d refused to act. The cannoniers of the guard gave their pieces an angle of elevation which spared assailants who spared not them, for the intention was not ascertained.

The cavalry were cut up in a hundred charges.

The *tri-colored flag* soon floated on the tower of the hotel de Ville, and on those of the cathedral (notre dame.)

I am obliged to suspended details, and to be irregular from hurry.

On Tuesday night prince Polignac narrowly escaped being made prisoner. His house was roughly handled. On Wednesday night the celebrated abbe de Fraysenous (bishop of Hermopolis) was arrested (I am assured.) All the priests disappeared during that day.

The ministers all ran off, save Debelleme, who was thrown into prison for allowing some of the journals to to be printed.

At 10 o'clock the Tuilleries and Louvre still held out, but at that moment I saw march along the Boulevard part of a regiment of lancers, whose appearance indicated extreme fatigue. They were quickly followed by a portion of a regiment of infantry of the guard. "These are new troops," I observed to a military gentleman of experience; "you know the regiments in the departments have been called up to town." "*Tis a retreat,*" said he, "they are in full *deroute*—mark how the drums, music, officers and soldiers, are mingled; and, behold, there is a wounded officer. They must be sorely pressed, for see how his leg bleeds, and is still unbound. Many of them are, moreover, without shoes!"

A regiment (or the remains of a regiment) of Cuirassiers, mixed up with gendarmes de chasse, next followed—the horses cut up, and the men fainting. Lastly, a portion of a regiment of the line followed with a melancholy air. The remainder of the three regiments first mentioned were dead, and, as my friend guessed, the survivors, with some soldiers of a regiment of the line, were on their way to join the king at St. Cloud, where they arrived in a most confused state yesterday.

The attack on the Louvre and Tuilleries was renewed early yesterday, and with success, but with great slaughter. The palace was pillaged. The different barracks of the unhappy Swiss guards were carried, in the course of the day, and the Swiss (having refused to surrender) cut to pieces. A regiment of hussars of the guard marched in from Orleans yesterday morning, but hearing of the retreat of those above mentioned, they halted in

the place Louis XVI. and in the course of the day retreated upon St. Cloud, receiving a heavy fire on their way. At four o'clock in the evening there was not a man in arms against the people in Paris. The tri-colored flag waved once more over all the public monuments. The joy was universal.

The appointment of general la Fayette to the command of the national guard was a happy circumstance; 80,000 will be organized to night. At this instant the disarming of the rabble is in progress. There is a large boat at this moment receiving its melancholy freight of dead from the palace of the Louvre.

The duc de Orleans will be king. His son is marching to Paris in aid of the bourgeois, at the head of his regiment of hussars. General Gerard is at the head of the armed force under La Fayette. The royal emblems and every mention of royalty have disappeared every where. The king of France, whoever he shall be, must be a very limited monarch to receive the approbation of the people.

Napoleon II. is in the mouths of all the lower orders.

The newspapers will give other particulars.

The troops are assembling in the place du Carousel, to march upon St. Cloud—but there will be little fighting.

At the moment I write, there are placards posted, with these words—"No more Bourbons!"

July 31.—This is surely the most extraordinary nation on the face of the earth. The day before yesterday Paris was filled with 150,000 men, engaged in mortal combat—its streets ran rivers of blood, and reverberated the thunder of artillery—the roll of musketry—the perpetual tapping of the *pas de charge*—the tolling of the tocsin—the cheers of the combatants—the shrieks and groans of the wounded and dying. Yesterday morning all was calm. The military service was performed with order and precision by 100,000 men, who never before this week figured as soldiers—under the influence, to be sure, of those heroic youths, the scholars of the Ecole Polytechnique, and the example of the national guards. A decent gravity reigned every where during the day. At every instant were to be met men carrying on biers such of the wounded as could be transported to the hospitals with safety; 1,500 of all parties are in the hotel Dieu alone. While each of those unfortunate poor fellows passed, every man present spontaneously and most respectfully, took off his hat. The dead were also honorably disposed of. The number in the Louvre was immense. Eighty were borne to a spot opposite the eastern gate of that building yesterday, and buried with military honors. Nearly as many were put on board of a lighter, and brought down the Seine to the *Champ de Mars*, and there appropriately interred. A considerable number, among whom were four Englishmen, who fell on the preceding day, were buried in the Marche des Innocens.

The evening was, if possible, more interesting and imposing. Already had the principal portion of the garde nationale been reorganized, and with "the people," the persons dignified by the superior orders as *canaille*, been put in possession of all the military posts of the metropolis, and occupied them with the air of veterans. Among the quays and streets the female inhabitants were to be seen seated in groups preparing bandages and lint for the wounded. The passages (arcades) afforded striking instances of this benevolent disposition. All the milliners, and their shopwomen and workmen, were to be seen sitting outside their shops (because those, being closed, afforded no light), busily engaged in making lint.

Paris is so fortified interiorly that a million of men would hardly suffice to carry it. I forget how many thousand streets it contains, but every street of them is capable of long and protracted defence—the means for which, however, I do not feel at liberty to describe.

The Ecole Militaire surrendered yesterday. The artillery from Vincennes marched upon St. Cloud.—The fortress itself remains in possession of the king's troops. The duc de Bordeaux is said to be there.—Poor child! I am sure he would not be molested. If menaced, he would certainly be preserved by the garde nationale, at the expense of their lives—yea, even the commonest laborer would answer for his safety, if he were thrown upon him for protection.—The priests had all disappeared, or, if visible, were disguised. The provisional government caused them to be informed that they were under the protection of the nation, and might resume their functions in security. They have, in consequence, all returned to their churches and houses. A large force has assembled at Versailles and St. Cloud, with the intention, it is said, of remaining there. They do not intend attacking Paris, it is believed, but if attacked, they will fight. They occupy Mendon, and Mount Valerien (the heights to the right and left of St. Cloud.) Several hundred soldiers of the regiment of the guard are said to have left their regiments within these two days, and are to be met with in Paris with their moustaches shaven off.

The number of men under arms this day is comparatively small. The chateau of the Tuilleries remains in the hands of the brave fellows who took it. If this were a subject upon which one could be pleasant, these extraordinary men would present ample materials; for, as you may guess, their costume is various as their employments were from which they rushed into battle. They are principally of the working classes, and on Thursday night presented a most grotesque appearance. Here you saw a young fellow of 20 or 22, with a halberd of the time of Francis the first, inlaid with gold, dressed simply in a smock frock and trousers, and the casque of a cuirassier on his head. There you saw another, with a blue shirt and trousers, encumbered by the long sword of a grenadier, a cheval, and capped with the brass helmet of a pompier: a pistol or two completed his armament. Farther off a negro in livery might be seen *en factionnaire* (as a sentinel), with a cavalry carbine, and the broad sword of sapeur, joked with occasionally upon his not being a *white*. Walking up the Place due Carousel, you might see a very fine young fellow, apparently a labourer, his costume consisting of a canvass jacket and trousers—no stockings—wearing the feathered cocked hat of a marshal of France, said to be captured from the wardrobe of the king. At his pride, too, his fellow-citizens laughed, which he bore with the most imperturbable gravity; and near to him a man with the sleeve of the red coat of one of the Swiss over his own, an archbishop's glove on the opposite hand, and a lancer's spear on his shoulder.—Among them are four Irish mechanics, who arrived "fortunately" in Paris "that very day, on their way to Charenton. The thing was not to be withstood, so in they went with "the boys."

The loss of both parties on Thursday was immense. It was evident to every man who saw them that the French troops were dejected. Some of them had not tasted food for 30 hours. They fought moreover against their own countrymen. The poor Swiss had still more cause for dejection, for they apprehended that no quarter would be shown them. They were wrong, for the lives of all who surrendered were spared. The people fought like lions.

At one point a woman, in the costume of her sex, headed the bourgeois, and was the boldest of the combatants, if degrees of bravery can be admitted in this most memorable conflict of modern times. A woman in man's clothes, fought at the attack on the Swiss barracks in the rue Plumet. The third regiment of the guard (Vendeans) fought with extraordinary bravery and devotion.

Many of the cuirassieurs surrendered their swords. The lancers of the guard—the finest body of men in the country—fought with heroism and constancy, but were dreadfully cut up. Many of them (private soldiers) were young men of family. The manner in which the Swiss fought, and the nature of the engagement, may be taken from the following instance: A company of them defended one portion of the rue St. Honore. They were reduced to sixty when I saw them, and fought in three lines of single files. The people occupied the whole breadth of the street in front of them. The foremost Swiss soldier would fire or attempt to fire, and would fall pierced with balls before he could wheel to gain the rear. The same occurred to the next and so until they had every one fallen. The contest here, at the Louvre, the Tuileries, and at the Place de Greve, was maintained with the most deadly obstinacy. The rue St. Honore, for two days, was a perpetual scene of slaughter. There may be counted in the front of the house, which forms the corner of the streets de Rohan and St. Honore, five

thousand shot-holes. The Louvre (*except the picture gallery*—what a nation!) was on all sides attacked and defended at the same moment, and for hours. In the court of the Louvre a field piece was planted, which commanded the Pont des Arts, being exactly opposite the institute. Here the fighting was so dreadful, and so maintained, that the front of the palace of the institute is speckled with musket and grape shot. One cannon ball only appears to have been fired. It has smashed a portion of the wall, and from its elevation, must have caused dreadful execution in sweeping the bridge. The attack on the Tuileries was not of as long duration; it was over in two or three hours. A young fellow marched on with a tri-colored flag at the head of the attacking bourgeois. A thousand balls, fired from the front of the chateau, whistled by him without touching him. He continued to march with *sang froid*, but with, at the same time, an air of importance, up to the triumphal arch, and remained there until the end of the battle.

The neighborhood of the hotel de Ville, was the theatre of a still more dreadful conflict. The people occupied the Quai Pelletier, and the Place de Greve. After a most sanguinary struggle, they were slowly beaten from the Quai into the Place, which with the hotel de Ville, maintained against some of the finest troops in the universe throughout the day, and until those troops retreated.

The lieutenancy of the kingdom is offered to the Duc d'Orleans. The king is said to have gone to Lille. All the emblems of royalty are removed, and the names of streets referring to it are expunged. The deputies are again assembled this moment at Lafitte's.

What a deplorable act was the issuing of the ordonnance on Monday last. What slaughter has ensued! What changes have been effected by it!

Respecting a renewal of the engagement, I repeat my hope that it will not be attempted. Several of the officers of the garde royale who fought on Wednesday, have resigned their commissions; amongst others count (I think) Latour du Pin, giving as his reason his objection to fight against his countrymen. If this example be widely imitated the affair will end without further bloodshed; if not, the contemplation is too horrible to be entertained for a moment.

The shops are still very generally closed, notwithstanding the proclamation of the municipality. As you may suppose, much distress would be felt by the people (being all unemployed), had not arrangements been made for their subsistence. The families requiring aid receive bread and other provisions. The men on duty, in like manner, receive bread, cheese, meat, and wine, while the different parties parade through the streets, preceded by a drum.

The order that prevails reflects upon the people and their chiefs the highest honor. The national guards will have immortalized itself by its exemplary conduct in protecting persons and property from possible injury. To the credit of the Parisians be it known, that, amid all their excitement, no foreigner has been insulted; but I should exhaust all terms of eulogy were I to dwell much upon the valor of the French during the combat, and their excellent conduct when even flushed with victory over an obstinate and brave enemy.

Money is not to be had. The money-changers have all disappeared, so that foreign coin, or securities, cannot be turned into French specie.

On the evening of Wednesday an eagle (of one of Napoleon's old regiments), was mounted over the triumphal arch in the Place du Carousel, together with the tri-colored flag. The flag remains, but the eagle has been taken down. The tri-colored cockade, or breast-knot, is general, not only among the French, but Russians, English, Germans, Danes, and other foreigners.

CAPTURE OF ALGIERS.

Further particulars.

Report addressed to his excellency the minister of marine and colonies by admiral Duperre.

"*On board the Provence, before Algiers, July* 3, 1830.

"*Monsiegneur*—I send the Cornelie to Toulon with the despatches of the general-in-chief. The army since the action of the 29th, took up a position for forming the investment and the attack of the fort of the Emperor.—I can no longer be well informed of its movements and operations. I know that the construction of the batteries for the attack approaches completion. They were to open their fire to-day. They will no doubt do it to-morrow (it is six in the morning, I hear their first discharges.)

As early as the 29th, in order to second the operations of the besieging army, I had ordered a false attack on the sea batteries of the enemy, in order to draw his attention to several points at once, and induce him to recall the cannoneers, and even a part of the garrison.—A profound calm all day on the 30th prevented the execution of my orders. On the 1st of July, a breeze from the west rendered the movement practicable. Admiral Rosamel, with his division, sailed under the batteries from Point Pescado to the mole, within cannon shot, answering the enemy's fire with his cannon.

In passing under their forts, it was discoverd that they were without cannoneers, for the fire was only opened on the vessels of the centre. After the arrival of the cannoneers, who had probably been recalled from other points, their fire became continual upon each of our vessels, without striking them, though several shots passed over them. Out of a pretty considerable quantity of bombs fired, and the greater part of which burst in the air, one fell off the vessel of rear admiral Rosamel, at a short distance from him and the brig Dragon. The division having arrived within cannon shot of the formidable ramparts of the mole, exchanged balls with the enemy, and continued its course for the bay, where it met with a dead calm, which forced it under Matifou, where it was delayed all yesterday, which prevented it from repeating the same movement, and where I rallied it in the evening.

I had left the bay of Sidi Ferruch yesterday in a calm, but towed by a steamboat. I, at the same time, ordered seven of the vessels armed *en flute* to be prepared, of which I formed a division under the command of captain Ponee. I will cruise in the open part of the bay, in communication with it (the bay) and the part of the forces under the flag before Algiers.

This measure was urgent for the preservation and safety of the forces. Three times, in three storms, from the 13th to the 26th, it was in danger. The operation of unloading all the fleet approached completion. I have taken measures to complete it in three days, and make sure of the unloading several vessels (provisions and stores) which will arrive successively and separately.—But the latter are on the account of the contractor, and do not form a part of the great convoy, the unloading and partial sending back of which, I hope, will be entirely transacted about the 6th. I have left the care of it to captain Cuvillier, who has taken provisionally the command and management of the movements in the bay; for I reckon upon withdrawing the Superb, vessel of the line. I have left with him four 24 gun frigates, armed *en flute*, one of 18, and some pinks, with boats' crews and working parties to the number of 1,400 men. The three crews furnished temporarily to reinforce the garrison of the entrenched camp, and placed at the disposal of the colonel, appointed by the general-in-chief to command them, form an effective force of about 2,100 men.—Thus the navy could only make this enormous sacrifice at the expense of the strength of the vessels, but it will do every thing to contribute to the success of his majesty's arms.

"*Third July*, 5 *P. M.*

"I delayed the despatching of La Cornelie, because the fleet was manœuvring to defile upon the batteries, and to effect by a serious attack a diversion advantageous to the operation of the army. The last guns have just been fixed, and I have only time to give you a very abridged account. During the whole of the morning, the fleet which had been prevented by the calm from rallying in any order, tried after the signal I gave to arrange themselves in line of battle. At two o'clock, ten ships and frigates, consisting partly of the vessels of war and partly of those employed in the disembarkation, succeeded in forming themselves upon the admiral's ship, which led the van. The others tried to take up their different stations. At a quarter past two the fleet bore up in line so as to defile on the batteries on the sea side, commencing with the three on the point of Pescado.

Shortly before I arrived opposite these, I perceived they had been evacuated by the enemy; at the same time I saw a detachment of our troops, which was coming from a neighbouring camp, take possession of them; and hoist a white handkerchief, which was soon replaced by a flag sent by the boat of La Bellone, which was in advance of the fleet. This retreat was no doubt caused by the attack made on the 1st by rear admiral Rosamel, and the reconnoitering I made yesterday in rallying the fleet. These batteries are three in number; the one mounted by five guns was dismantled, the second mounted eighteen guns, and the third of ten guns; these had all their guns and warlike stores. A low battery near these was also abandoned. The enemy, by this movement, no doubt, had the intention of assembling all their artillerymen in the forts and batteries near to the city in those of the town and sea coast. At forty minutes past two, captain Gallois, of the Bellone, who was in advance of the fleet, commenced firing on the English fort, within the range of his eighteen pounders, and kept up a brisk attack. The enemy returned it.

At fifty minutes past two, the admiral's ship, at half cannon shot, began her fire, and successively the whole of the other vessels. I can say that even the brigs defiled within half cannon shot, under the thundering firing of all the batteries, from that of the English fort as far as those of the mole inclusive.

"The bomb vessels fired under sail against the numberless shells thrown by the enemy. The firing has just ceased, at 5 o'clock, with the last vessel of the fleet. None of them has suffered much from the enemy's fire, if one can judge from the admiral's ship. But, by an unheard of fatality, a fatal accident took place similar to one which happened about two years ago on board the same vessel. A 36 pounder burst, by which 10 men were killed and 14 severely wounded, amongst whom is lieutenant Berard, a brave and worthy officer. His wounds, however, are not serious.

When I have received the reports of the commanders of the vessels, I shall be able to mention to your excellency such traits of courage as have more particularly fixed their attention. Mine could not be directed to one vessel more than another. I was, however, able to follow all the movements, and to judge of the fire of each during two hours that the cannonade lasted within half cannon shot, under a front of perhaps 300 pieces of artillery. I owe equal praise to all the commanders, officers and sailors of the fleet.

Such, Monseigneur, after the first movement, effected the day before yesterday by the division of admiral Rosamel, is that effected to day by the fleet. It must have been a powerful diversion, and have produced a great effect on the minds of the enemy.

Your excellency will excuse me for not entering into greater details, but I cannot delay the departure of the corvette, which I am about to despatch.'

Accept, &c. vice admiral commander-in-chief of the naval forces. DUPERRE.'"

TELEGRAPHIC DESPATCHES.

Toulon, July 20, 1830—3 o'clock in the morning. The maritime prefect to his excellency the minister of marine:

The dey of Algiers, with all his suite, was, the 16th, on board the Joan of Arc, anchored in the road of Mahon. This news has been brought by the Dutch brig of war Echo, which has just arrived here.

Toulon, July 23, 1830—8 o'clock in the morning. The maritime prefect to his excellency the minister of the navy and of the colonies:

The ship Marengo, which left Algiers the 15th, has just arrived with 15 millions francs, of which two millions come from the French chest, and thirteen millions from the treasury of the regency of Algiers. These thirteen millions are composed of ingots of gold and silver, and money in gold.

Report to the king.

St. Cloud, July 21st, 1830.

Sire,—In a few days, the valor of your armies on land and sea has placed in your hands the destinies of Algiers and the countries which depended upon this regency. I have the honor to propose to your majesty to perpetuate, by a monument, this glorious deed of arms, and to order:

1st. That a neutral column, surmounted by a light, shall be erected in the road of Toulon.

2d. That the names and number of the corps and vessels composing the two armies, and those of the officers general, and the superiors who commanded them, shall be inscribed on the base of the column.

3d. That the ornaments which decorate the monument shall be made from the brass of the cannon taken from Algiers.

Your armies, sire, will find in this decision of your majesty, the most honorable reward, and a new subject of gratitude and love.

I am, with the greatest respect, sire, a very humble, obedient and faithful subject, the minister of marine and colonies, BARON D'HAUSSEZ.

Approved: CHARLES.

By the king: BARON D'HAUSSEZ,

The minister, secretary of state, marine and colonies.

Orders had been given for the immediate execution of this design. A thousand convicts were to be employed upon the work.

A letter from Toulon, of the 15th July, has the following passages:

The amount of the treasures which have been found in the Cassauba is not positively known. Some make it 500 millions, and some only 300, but these are only conjectures. The fact is that admiral Duperre was amazed on entering the cellars,—heaps of gold and chests full of piastres occupied them.

Another account says—The inventoried treasures of the dey are said to amount to 90 millions of francs in money, and 10 millions in gold and silver bullion and plate. There were besides 20 or 30 millions not inventoried. He was allowed to retain for his own use 9 millions and his estates.

The following paragraphs are from the *Journal des Debats*—

There was a report at Toulon, July 20th, that an English vessel, going out of Algiers, loaded with the treasures of the dey, had been stopped by our squadron at a distance of a mile from the coast.

Private news from Algiers dated July 9th, says, that good order and tranquillity are daily reviving in that city, that the shops are opened again, and that provisions are coming in from all quarters. The treasures of the dey, of which they have taken possession, and an account of which has been taken for the French, amount at present to 90 millions of francs in money, and to 10 millions in articles of gold and silver. It is hoped that there remains from 20 to 30 millions to be counted.

They write from Algiers, July 9th—Our army is abundantly furnished with provisions. The Arabs have just supplied our markets. I forgot an important point; it is that at the departure of the Cigogne, we had already found more than 97 millions, and we hope to find still more. On this subject they attribute to general Bourmont what follows.

When this treasure was found, Mr. Bourmont said, "Gentlemen, of this sum 60 millions are more than sufficient to pay the expenses of the war, and I think that the excess will be devoted to the payment of the arrears of the brave soldiers of the legion of honor.—They have well earned it, and it is a sacred debt that France owes sooner or later to the legion of honor."

We have found at Algiers magazines furnished for more than three years, and more than 3000 pieces of brass artillery, of which 1500 were in the batteries.

Among the French slaves restored to liberty was one named Beraud, who has been absent from Toulon, his native place, for 29 years. He was only twelve when he was taken by the pirates and thrown into the gallies at Algiers. There has nothing been since heard of him, and he was supposed to be dead. The joy and surprise of his old mother can be imagined, who after so long a space of time, finds again a son whom she thought forever lost to her.

For some days past certain reports have been current, which give rise to the belief that our occupation of Algiers will meet with obstacles which we had certainly no reason to have expected. We are assured that the duke of Wellington complained directly to an august personage of the conduct of the French cabinet in the affair of

Algiers, and that the observations of the English minister were received with a just indignation.

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It is said that the late dey of Algiers has selected Naples as the place of his residence—only about 100 persons accompanying him.

A municipal commission has been organized at Algiers. Not an armed Arab now appears. The markets are supplied as usual.

A letter of a recent date from Algiers, states that "there are in the regency from 15, to 20,000 Jews, who are well disposed towards the French. During the government of the Turks, they were forbidden to ride into the town. A Jew coming from the country, on his mule, stopt at one of the gates of Algiers, to alight previous to entering the place. He ventured, however, to ask the French sentinel leave to remain on his mule. The sentinel replied—'Who prevents doing so?' All his fellow Jews were delighted with this permission and exclaimed, *'long live the French!'* This class, which is rich, may become very useful."

Notice has been given to the Turkish subjects to quit the territory of Algiers immediately; that those who possess real property had a delay of eight months to sell it, and that at the expiration of that time the property not disposed of should be sold at public auction, and that the said Turkish soldiers should be conveyed by the French vessels out of the territory of the regency of Algiers, with an express prohibition not to return.

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"The London Express quotes, respecting Algiers, a curious document, which is not generally known. It is certain that Napoleon long cherished the idea of seizing the regency. The secret history of the cabinet of the empire cites a secret paper on the treaty of Tilsit. We give a copy of this very singular document, the authenticity of which is unquestionable, and which unveils the policy of Napoleon:—

"'SECRET TREATY OF TILSIT.

"'Art. 1. Russia shall take possession of Turkey in Europe, and shall push her conquests into Asia, as far as she may think fit.

"'2. The dynasty of the Bourbons in Spain, that of the Braganza family in Portugal, shall cease to exist: a prince of the family of the emperor Napoleon shall be invested with the crown of these kingdoms.

"'3. The temporal authority of the pope shall cease, and Rome and its dependencies shall be united to the kingdom of Italy.

"'4. Russia undertakes to lend France the aid of her marine to conquer Gibraltar.

"'5. The cities of Africa, viz: Tunis, Algiers, &c. shall be French possessions, and after a general peace all the conquests which the French have made in Africa during the war, shall be given as indemnities to the kings of Sardinia and Sicily.

"'6. Malta shall be occupied by the French, and never be at peace with England until she has ceded this isle to France.

"'7. Egypt shall be occupied by the French. France, Russia, Spain and Italy, shall have the right of navigation in the Mediterranean—all others shall be excluded.

[The eighth article is not given.]

"'9. Denmark shall be indemnified in the north of Germany and the Hanseatic towns, if she will resign her fleet to France.

"'10. Their majesties of France and Russia shall make an arrangement, by which no power shall henceforward have the right to send to sea merchant vessels, unless they send to them a certain number of vessels of war."

(Signed) (L. S.) "'KOURAKIN,
(L. S.) "'C. M. TALLEYRAND,
Prince de Benevente.

"'*Tilsit, 7th July* (*25th June*), 1807.'"

BRITISH PUBLIC PAPERS.

On the 23d July, king William having ascended the throne in the house of lords, the commons being present, delivered the following address:

"*My lords and gentlemen,*

"On this first occasion of meeting you, I am desirous of repeating to you, in person, my cordial thanks for those assurances of sincere sympathy and affectionate attachment which you conveyed to me on the demise of my lamented brother and on my accession to the throne of my ancestors.

"I ascend that throne with a deep sense of the sacred duties which devolve upon me—with a firm reliance on the affection of my faithful subjects, and an humble and earnest prayer to Almighty God, that He will prosper my anxious endeavors to promote the happiness of a free and loyal people.

"It is with the utmost satisfaction that I find myself enabled to congratulate you upon the general tranquillity of Europe. This tranquillity it will be the object of my endeavors to preserve; and the assurances which I receive from my allies, and from all foreign powers, are dictated in a similar spirit.

"I trust that the good understanding which prevails upon subjects of common interest, and the deep concern which every state must have in maintaining the peace of the world, will insure the satisfactory settlement of those matters which still remain to be finally arranged.

"*Gentlemen of the house of commons,*

"I thank you for the supplies which you have granted and for the provision which you have made for several branches of the public service, during that part of the present year which must elapse before a new parliament can be assembled. I cordially congratulate you on the diminution which has taken place in the expenditure of the country, on the reduction of the charge of the public debt, and on the repeal of some of those taxes which have heretofore pressed heavily upon them.

"You may rely upon my prudent and economical administration of the supplies which you have placed at my disposal, and upon my readiness to concur in every diminution of the public charge which can be effected, consistently with the dignity of the crown, the maintenance of national faith and the permanent interests of the country.

"*My lords and gentlemen,*

"I cannot put an end to this session and take my leave of the present parliament, without expressing my cordial thanks for the zeal which you have manifested on so many occasions for the welfare of my people.

"You have wisely availed yourselves of the happy opportunity of general peace and internal repose, calmly to review many of the laws and judicial establishments of the country, and you have applied such cautions and well-considered reforms as are consistent with the spirit of our venerable institutions, and are calculated to facilitate and expedite the administration of justice.

"You have removed the civil disqualifications which affected numerous and important classes of my people.

"While I declare, on this solemn occasion, my fixed intention to maintain to the utmost of my power the protestant reformed religion established by law, let me at the same time express my earnest hope that the animosities which have prevailed on account of religious distinctions may be forgotten, and that the decision of parliament, with respect to those distinctions, having been irrevocably pronounced, my faithful subjects will unite with me in advancing the great object contemplated by the legislature, and in promoting that spirit of domestic concord and peace which constitutes the surest basis of our national strength and happiness."

☞The parliament was then prorogued by the lord chancellor.

Dissolution of parliament.

BY THE KING,

A proclamation for dissolving this present parliament, and declare the calling of another.

"Whereas we have thought fit, by and with the advice of our privy council, to dissolve this present parliament, which stands prorogued to Tuesday, 10th day of August next. We do for that end publish this our royal proclamation; and do hereby dissolve the said parliament accordingly; and the lords spiritual and temporal, and the knights, citizens, and burgesses, and the commissioners for shires and burghs of the house of commons, are discharged from their meeting and attendance on the said Tuesday, the 10th day of August next. And we, being desirous and resolved, as soon as may be, to meet our people, and to have their advice in parliament, do hereby make known to all our loving subjects, our royal will

and pleasure to call a new parliament; and do hereby further declare, that, with the advice of our privy council, we have given order that our councellor of that part of our United Kingdom called Great Britain, and our councellor of Ireland, do respectively, upon notice thereof, forthwith issue out writs in due form, and according to law, for calling a new parliament.

And we do hereby also by this our royal proclamation, under our great seal of our United Kingdom, require writs forthwith to be issued accordingly, by our said chancellors, respectively, for causing the lords spiritual and temporal, and commons, who are to serve in the said parliament to be duly returned to and give their attendance in our said parliament; which writs are to be returnable on Tuesday the 14th day of September next.

Given at our court at St. James's, this 24th day of July, 1830, and in the first year of our reign.

God save the king. [L. S.]

"POLITICS FOR FARMERS." We have for sometime contemplated a general essay, in which certain of the leading principles and practical operations, of what is denominated the "American System," might be rendered more familiar to the farmers, and other working classes, who have not time to read, nor leisure to investigate, the important subject—though more deeply interesting to themselves than any other persons in the United States. It has been delayed, however, from various causes; and the few facts collected are mere examples of the many that might be obtained, were time and opportunity allowed for the gathering of them. We now proceed to the task—so far desirous of brevity, as to be apprehensive that we may not always be fully understood, unless by them, who, while they read, will also *think* upon what shall be presented to them.

The primary interest in the United States is certainly that of the *farmers;*—the next, that of the *manufacturers;* the third, of that of *navigation* and *commerce*—the fourth, that of the *planters*, proper. The last furnishes the largest amount of value in articles for *export;* but, in its general sum of production, is at a vast distance behind the first or second, and much in the rear of the third. It may be well to say a few words in regard to each.

Dr. Cooper calculated the *subsistence*, only, of the people of the United States, at 640 millions of dollars, in 1813—and exclaimed, "*How do the boasted panegyricks* OF FOREIGN *trade dwindle into insignificance when set in competition with this!*" He rated the support of each individual, for food, drink and fuel, at $55 a year. We have materially differed from the doctor—thinking then, as now, that he was extravagant in his "*calculations!*"* —but have supposed that the average cost of subsistence might be 25 dollars per annum,† for the whole United States, considering the cheapness of food in many parts of the interior, and that we have two millions of slaves. This moderate sum will give us 300 millions of dollars, as the cost of subsistence, the product of our farmers—but when to this is added the value of fuel used, the food of horses and other working animals, the value of timber and its transportations, &c. of the wool, flax, hemp, &c. &c. we think that the whole value of the commodities produced or supplied by the farmers of the United States, may be reasonably put down at 600 millions of dollars a year.

We place the *entire* clothing of the people of the U. States, including all the cloths required for *household* or other purposes, at 20 dollars per head. This embraces *all* manufactures of cotton, wool, flax, leather, fur and silk, &c. and is surely below the real value. The aggregate is 240 millions of dollars—of which many thousands consume more than their proportion in *boots and shoes only*, for it includes shoemakers' bills as well as tailors and hatters, &c. And if to this we add the manufactures of iron, and other metals, of wood, in houses and ships, and furniture, of minerals and earths, such as brick, glass and wares, the aggregate cannot be put down at less than 450 millions.*

The amount earned in *freights*, coasting, inland, fishing and foreign, including passengers and goods transported in steam boats and canal boats, with the profits on exchanging commodities, cannot be less than 100 millions a year, all which is put into the *domestic circulation*, and invigorates every branch of business, especially the agricultural, for subsistence, fuel, &c. consumed.

In addition to these, we verily believe, that the disbursements of the people of the United States for travelling on land, with stage hire, horse-feed, turnpike rates, &c. is of a larger amount than what we have regarded as the 4th great branch of the business of our people!

If the whole cotton crop be a million of bales, or 300 millions of pounds, or 30,000,000 dollars, the tobacco, sugar and rice may be estimated at 12 millions more; but, say, 45 millions, as the whole product of the *planting* interest, at fair and average prices, *including the costs of transportation*, a large amount to be deducted from the general sum. Forty-five millions of dollars are *more* than the worth of all the cotton, tobacco, sugar and rice, annually supplied in the United States. Well may we exclaim, in the words of Dr. Cooper, "how do the boasted panegyricks," on the *planting* interest, "dwindle into insignificance when compared with" the *farming* or *manufacturing!* And though, as before observed, the *planters* supply a large proportion of our articles for export, the whole proceeds would go but a short way towards feeding the people of the planting states, if the landholders were not also *farmers*. Their crops of grain and grass, &c. are worth a much mightier sum than those of cotton, sugar, tobacco and rice.†

We invite a careful consideration of these things.—Mathematical accuracy is not aimed at for them, and cannot be attained. *It is sufficient that our calculations are reasonable.* The aggregate for subsistence and clothing of all sorts, all kinds of farming or family utensils, the building and repair of houses and ships, in the rents of houses, &c., are put down at a less sum than 90 dollars *per head, per annum;* or, for a man, his wife and three children, 450 dolls. a year—about the amount of the wages of a respectable journeyman mechanic, which is below the average value consumed. What is the sum of the rents of all the houses in our cities and towns? And the product of these, it must be observed, are as well added to a *general amount of subsistence*, as bread or clothing.

We shall proceed to a more particular notice of certain products of the *farmers*, by which we mean the growers of grain, grass, roots, meats, wool, &c., in distinction to those of cotton, sugar, tobacco and rice.

The people of the United States consume, each 1 lb. of flour a day, or its *equivalent* in other vegetable food—this is less than the amount given to decently-fed slaves, a peck of corn (10 lbs.) a week being allowed per head, with other vegetable food. The annual supply, for 12

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*The doctor is talking about "calculating the value of the union." He is a *great* calculator!

†The average cost of *paupers*, in many establishments: but we wish to err, if err we must, on the "safe side."

*From this some 30 millions may be deducted, for imported articles.

†This view of the planting interest will strike many of our readers with considerable force. It seems to be a new view of the subject. Admitting that it requires 90 dollars a head to feed, clothe, and provide the people of the United States with *all* the rest of the things that they need, their comforts require, or luxuries demand,—the whole product of the planting interest would supply only 500,000 people. We have made large allowances. If the whole cotton crop be 1,000,000 bales, (though it has never, perhaps, amounted to so large a number), the *nation* of South Carolina may produce 200,000, worth $6,000,000. This is, perhaps, much beyond the real amount, but intended to include the domestic as well as foreign sales. Yet, the *women's bonnets, lace* and *artificial flowers*, made by some of the girls of Massachusetts, Rhode Island and Connecticut, will purchase one third of all this boasted product of the "nation" of South Carolina! And the *buttons, combs, umbrellas* and *glass* manufactured, being added—the "whole crop" would fall much short of a payment for them. We are serious. The value of these articles is more than seven millions of dollars a year—perhaps nearly eight.

millions, is, then, 4,380,000,000 lbs.—or 22 millions bbls. of flour. It is no matter of what this food consists. If of wheat flour, the *average* cost will not exceed *two cents for each person per day;* which we think is a pretty moderate rate of living, and suppose that Dr. Cooper and Mr. McDuffie must admit it!

The greatest export of flour was in 1817—1,479,198 barrels, because of the very short crops in Europe—but in 1819, only 750,660; shewing a decrease of one half, in two years, and the destructive uncertainty of the *foreign market.* In 1828, the export was 860,809 bbls.—in 1829, 837,385; of which latter, 210,384 went to England, on a *speculation* of short crops, but was nearly all *re-shipped* to the British West Indies, or elsewhere, or retained until it became *sour,* because that the *duty* required upon it could not be paid, for British food.

We shall here explain what this duty is. It falls as the price of grain rises. Thus—when British wheat is at 50*s.* the quarter of 8 bushels, of 70 lbs. each, (or about 130 cents for the American husbel of 60 lbs.) the duty is 44*s.* 8*d.* per quarter, equal to 5 dollars 98 cents on a barrel of flour!—when at 60*s.* the quarter, (equal to more than a dollar and a half the American bushel), the duty is 24*s.* 8*d.* the quarter, or $3 30 on a barrel of flour; when at 72*s.* (*the starvation point!*) it is only 1*s.* the quarter, or 13 cents on a barrel of flour. There is a grade of duty for every shilling of the value of a quarter of wheat (or other grain)—from 72*s.* to 50*s.* At the first, the duty is nominal, but, as the price declines, it becomes *heavy,* and soon runs into *prohibition.* It is thus that England watches her agriculture! There has been another little bubble about short crops in England; but, at the last advices, the duty on a barrel of our flour was nearly three dollars—so none had been sold for consumption! But there had been a few days of *sunshine;* and, as the price of wheat was declining, the duty was about to advance. This is a chief part of the British "*free trade system*" so much spoken of, and held up for our imitation! Britain excludes our flour, though we might furnish it at a much less price than her own costs her people, even when she has a fair and full crop—but we ought to purchase British calicoes, though we can make them ourselves, and as cheaply as she will—as shall be shewn below.

The American consumption requires the equivalent of 22 millions of barrels of flour—the foreign demand takes off less than 900,000. The domestic demand is settled—the foreign, small as it is, unsteady. In 1817, the value of all the vegetable food exported, was $22,594,000—in 1829, only 9,079,762.* The much complained of fluctuations in the *value* of cotton, present nothing like this. The foreign flour trade cannot, at any time, be depended on. We have exported more than 300,000 barrels to *Cuba* and *Hayti* in one year, and in another less than 90,000. We have sent several hundred thousand to England in one year, and not a barrel, as it were, in the ensuing one. To this wretched uncertainty, with our continual gaping at things *abroad,* instead of attending to things *at home,* we are indebted for three-fourths of the perplexities, or embarrassments, which the farmers of the United States have suffered, as must appear manifest to every reflecting mind. As it regards *foreign* trade, we are

"Pleas'd with a rattle—tickled with a straw!"

Now as to meats, of all sorts. The consumption and waste, exceeds ½ lb. for each person a day. The gross quantity required is then 2,160,000,000 lbs.; equal to 11 millions bbls. of beef or pork. The greatest export that we ever made of beef and pork, was in 1805—240,000 bbls. In 1829, only 110,000—or 22 millions of pounds, just an hundredth part of the domestic consumption.

It thus appears, that the vegetable food of the United States *exported,* is about a 24th part of what the home demand requires—and of meats, only a 100th part. It is then the HOME MARKET that should mainly occupy the thoughts of a republican statesman.

This great market is best encouraged, or protected, by *divisions of labor.* If *all* were farmers, raising their own bread and meat, *there would be no home market;* and flour, for the foreign one, would not sell for more than two dollars a barrel—if for so much, delivered at our sea-ports. The English could hardly take it as a *gift,* because of the duty, unless in times of scarcity, though delivered free of cost for freight! But were *all* farmers, we should have no *cities.* How would the account stand then? New York, alone, consumes the equivalent of one-third of *all* our exports of flour—Baltimore, 150,000 barrels—or three-fifths of all that we sent to the West Indies last year—and much more than was exported *direct* to the British West Indies, when the ports were open.* Baltimore, and her adjacent factories, also consumes the equivalent of 80,000 barrels of beef or pork—about ⅔ths of the *whole* export of last year. Yet we have heard a senseless Maryland farmer, wish that "Baltimore, *(his market,)* was sunk in the basin!" He might almost as well have wished that the mills which prepared his grain for bread were destroyed. The people of the cities of Boston, New York, Philadelphia and Baltimore, employ twice as many men as farmers, graziers, gardeners, &c. as all the people of Asia, Africa, Europe, and America, (except the U. States) employ. Here is a specimen of that *division of labor* just above alluded to. Large cities *cannot* exist, unless the manufacturing and mechanic arts prosper in them—It is the products of industry, thus applied, which obtains food, and other supplies, for them—and this causes that invaluable interior commerce, which prevails in every civilized nation, and must, more or less, exist, in all populous countries. Two of the greatest cities in the world, Nankin, in China, and Jeddo, in Japan, are thus maintained—a vast amount of *home trade* is transacted at them, the foreign being of no account. And at London, the greatest commercial city in the world, the interior, or home trade, is, at least twenty times greater than the foreign one. We have in our own country two beautiful *types* of the principles that we teach, in *Pittsburg* and *Cincinnatti.* They have no foreign trade—but lands and houses in them, and in their neighborhood, bear a full comparison with the values of lands and houses at Baltimore, and its neighborhood.—The manufactures of Philadelphia, (that is, those supplied with Philadelphia labor and capital, and which centre in that city,) have been estimated at 25,000,000 dollars annually—equal to the full average value of *all* the cotton exported. Without an *interior* trade, a city can only be as *Heligoland* was, when converted into a nest for smugglers, as the island of *St. Thomas* is, because a "free port," at which the British islands are supplied with our flour, &c.

A more special application of the benefits derived from a prudent *division of labor,* may be thus shewn—

Massachusetts, Rhode Island and Connecticut are capable of raising all the bread stuffs which their people need, and heretolore had a considerable surplus; but, at an early period, they turned their attention much to navigation, and have latterly become great manufacturing states. The lands in this district are not well fitted for the cultivation of wheat—but they preler bread made from it, *if able to purchase it.* We take of them cotton and other manufactures, oil, &c. and they receive, in exchange of us, not less than the equivalent of 1,500,000 barrels of flour, in bread-stuffs, or a much greater value than the whole of our foreign trade in them. This may be called a new business, and is of vast importance to all parties. It is equally profitable to the one, whether a yard of cotton cloth be sold for 6 or 7 cents, to go to *Baltimoré* or *Lima*—or to the other, if a barrel of flour sells for 5 dollars, to proceed to *Boston* or *Kamschatka!* But there is this imposing advantage—the orders and decrees, intrigues, or caprices, of foreign nations, have no effect over our *home trade.* Its amount is beyond calculation—and it knits the people closely together. We have seen *Baltimore* branded flour in the midst of the mountains of *Vermont.* Such is the "American system." This

* Including rice, &c.

*The British islands now get their supplies of *our* flour from *England,* or the Danish or Swedish West Indies, carried in British vessels. For, though England will not permit an American vessel to proceed from Baltimore to Jamaica, she will allow such vessel to carry flour to Liverpool, and put it into "bond," whence it may be sent in an English vessel to Jamaica, without paying the British consumption duty. It is thus that John Bull nurses his navigation.

could not have happened, but because of the *divisions of labor* that we have spoken of.

But, it is said, the people would *eat as much bread* as they now do, were that "system" destroyed. So it may be said, that we should require as many shoes, were all the shoe-makers guillotined! But every body knows that it would not be advantageous for the farmer to stop his plough and let his horses remain idle, to make a pair of shoes. If the people on the rich lands of New York, Pennsylvania, Maryland, and Virginia, can "make" wheat cheaper than those of Massachusetts and Rhode Island—and they, of the latter, furnish the other with cotton goods cheaper than they can otherwise obtain them, *common sense* will teach both the value of mutual exchanges. We have had a mighty out-cry about the *loss* of the West India trade, and shall have a grand a-do, if it is *regained*. We believe that the sale of one barrel of American flour has not been lost, because of the *loss* of that trade—that the general amount of our trade with the West Indies has not been materially affected by an opening or closing of the British ports.* But if the sale of all the flour which proceeded (direct) to those ports, when opened, was really lost to us, *the whole amount is less than the demand for flour and corn at the manufacturing town of Providence, in Rhode Island!* This will astonish many, but it is the truth notwithstanding. The *highest* amount of flour ever exported to the British West Indies, was about 130,000 barrels in one year. In 1826-7—from July to July, 127,150 barrels of flour were received at Providence, with, perhaps, 200,000 bushels of "southern corn," nearly all which immediately passed to the manufacturers, for consumption.

We might multiply facts like these without number—but cannot give the room necessary to state them.

Such is the connection between *agriculture* and *manufactures*. We shall now notice the folly, or falsehood, of those who insist that the laws for the protection of domestic manufactures are "taxes" on consumers—for *these laws have had one invariable tendency to reduce the prices of articles protected*, without at all diminishing the foreign demand for the products of our soil. In 1823, the year before the "abominable tariff" of 1824, we exported 173,000,000lbs. of cotton† and 756,000bls. of flour, together worth 25,400,000 dollars; and in 1826, 204 millions of pounds of cotton and 857,000 lbs. flour, worth together 29,150,000 dollars: the *quantity* and the *value* being both increased, in defiance of all the *awful predictions* to the contrary.‡

Taxes, of some kind, must be paid. A *revenue* duty must be collected; but, whether a *protecting* duty superadded, is, or is not, a tax, depends on *particular* considerations. For example—the duty on a square yard of coarse cotton goods is 8¾cents—but we may buy a sq. yard of such goods, home-made, for eight cents, or ¾ of a cent less than the duty. It is *impossible* then, that the *duty* is a *tax*. The duty on shot is 4 cents per lb. but we can obtain any quantity of shot at 5 cents per lb.—if the *duty* is a *tax*, the shot is worth only one cent per lb. and so on. The duty on wheat is 15 per cent.—or "15 cents on every dollar of its cost," as the "free trade" folks say—but is any farmer foolish enough to believe that a *tax* of the United States is collected on the wheat that he grows and consumes? It is a popular cry, that "duties *are* taxes:" so was the halloo, "*Great is the Diana of the Ephesians.*" A falsehood, or an idol, placed in opposition to truth, and the ETERNAL PRINCIPLE OF TRUTH! There is a duty of 3 cents per lb. on cotton—is cotton advanced in that amount, because of that duty? Pshaw! We cannot dwell longer on such subjects—and must proceed.

Manufactures of iron.

This is a leading interest in the United States, and a great supporter of the home market, as every *farmer*, in the neighborhood of iron works, well knows. The following shews that *decreased prices* have invariably followed *increased duties*. As to *iron* manufactures, no patriot will contend that we should be dependent on any foreign nation for them—they are essential to the independence of our own—*and are without substitutes.*

The first encouragement was given to rolling iron by the tariff of 1816, when the duty was fixed at $30 per ton, and so it remained until 1828, when it was raised to $37 per ton. In consequence of the act of 1816, fifteen *new* rolling mills were immediately erected, without including the new establishments west of the mountains—and

Sheet iron and boiler plates, (better than the English), which sold for $180 the ton, eight or nine years ago, may now be had for 130 or $140 the ton. We speak always of wholesale prices. Rolled round iron has had the same reduction in value.

Small hoop iron, (a *new* manufacture), protected by a duty of 3 cents per lb. by the tariff of 1828, and which sold for $150 a ton a few years ago, is now selling for $120 a ton.

Braziers' rods, which had *never* been made in this country until protected by the tariff of 1828, with a duty of 3½ cents per lb., and were sold at $150 a ton, or 6 2-3 cents a pound, now sell for $135 a ton, or 6 cents per lb., though "*taxed*" 3½ cents per lb.

Cut nails were 8 cents per lb. in 1821, and had an average value of 7 cents until 1828, now sell for 5½ cents per lb. The duty on nails is 5 cents *per lb.* If the duty *is* a tax, the value of the *nails*, is only half a cent per lb.

These, and such as these, are the articles of iron *best protected*—and they shew a general decline of about 25 per cent. or *one-fourth*, in price, as compared with their value previous to such protection. On hammered bar iron, the duty was 45 cents the *cwt.* in 1816, raised to 90 in 1824, at which it remains. It was worth (the superior qualities), $100 the ton, a few years since, and now sells for only $85—*a reduction of 15 per cent., because of the domestic competition, excited by the tariff.*

Manufactures of wool.

The duties laid upon foreign wool, for the protection of American *farmers*, (and which we heartily approve of, except as to the *coarsest* and *finest* qualities, because we do not produce any of the former, and very little of the latter), has prevented a large *general* decline in the price of woollen goods, except in what may be called the *medium* qualities, which were about 25 per cent. less last year than previous to the increased duties upon them. The price of wool has advanced, and so have such cloths—but they are still cheaper, of American manufacture, than ever they were, of English product, under a mere *revenue* duty. The very fine cloths retain pretty nearly their old prices, though rather less. All mixtures of cotton and wool are much cheaper. The "Welsh plains," which averaged at least 65 cents a yard, previous to the tariff of 1824, fell to 60 cents, on the increased duty, as soon as certain of our factories were put into operation. And the article known as "Canton cloths," a much more valuable one than the "Welsh plains," sold last year at from 56 to 60 cents. Their price has since advanced, because that the stock of foreign coarse wool is exhausted, and there is no domestic supply. Negro cloths, such as in 1825, 6, 7 and 8, sold for 27 cents—and, because a glut, last year, for 22 cents—now sell for 42 cents—for the reason assigned. The *south* imposed the duty on coarse wool, and will pay it!

It is difficult to fix a determinately descriptive *quality* of cloths, and so not easy to make out a clear *comparison* of prices—but it is manifest, that their cost has generally declined with the increase of duties on them. The fact is—*that the manufacture of a yard of cloth, in the United States, now costs less than in England*, because of new and improved machinery, not used in the latter country, and which, perhaps, *cannot* be used, because of

*We have exported 100,000 barrels of flour more to the West Indies, when those ports were shut than when they were opened—1824 compared with 1825.

†Much the largest amount that we ever had exported, in one year. The average of 1816 to 1822, inclusive, was less than 110 millions of pounds a year.

‡But in the last year we exported 265 millions of pounds of cotton, valued at $26,575,000. Has the *demand* and *value* been reduced by the tariff? It is difficult to resolve what is meant by the "oppressions of the south," and what it has to complain of, because of the progress of manufactures. A duty of nearly 10 millions is levied in England on so much of our tobacco as costs about one million. The meekness with which the planters of Virginia submit to this, has always excited our curiosity.

the great number of persons that it would throw out of employment. The difference in the cost of a yard of cloth, made in the United States and in England, if any there is, is in the difference of the cost of the wool and and dye-stuffs used—*for the protection of farmers and planters.* As before observed, we heartily approve of these duties, so far as they affect articles produced by us in reasonable quantities; but the duties on very *coarse* and *very fine wools* and *indigo*, have a direct tendency to tax consumers of the cloths made out of, or dyed, with, these materials. The farmers have had a large advance in the price of their wool, and we are glad of it—we as much wish an advance in the value of cotton.

A great rise in the price of flannels was predicted—but, with two tariffs heaped upon them to increase the price, such as sold for 23 cents in 1823, will hardly bring that sum even now. Last year these goods were at 17 cents, only. This shews that the tariff has no effect on their price. Wool was cheap in in 1828-9, and is now more valuable, and so are flannels. Such wool as sold for 18 cents last year is worth 30.

Manufactures of cotton.

These may be said to have fallen *fifty per cent.* in price since the protection of the domestic manufacture of them;—that is, *fifty* cents will purchase as much cotton cloths—shirtings, sheetings, calicoes, plaids, stripes, and all the common articles for men and women's wear, as *one hundred* cents would do, before our tariff laws were enacted to encourage the domestic industry and consume the domestic material. Whole ship-loads of *East India* cotton goods were imported into the United States —we now export American cotton goods to the East Indies! It is readily admitted, (though our opponents will "admit nothing"), that a large part of this reduced price is caused by improved machinery—but the fact is no less true, that coarse cotton goods *are cheaper at Providence, in Rhode Island, than at Manchester, in England.* We speak understandingly—and the proof is at hand, that in England they have *counterfeited* our marks to sell *their* goods for *ours*, in *South America.* We have seen twenty specimens of this trick. The poor cotton of *Surat* was worked to imitate the strong upland cotton of South Carolina, &c., thus to injure both our planters and manufacturers: but such frauds have generally been soon discovered, in the superior quality of our goods. Mr. Raguet has spoken of the *tax* on these goods. We will assure him the payment of 100,000 dollars a year, bonus, if he shall obtain us the liberty to export them, free of duty, to England, for five years—half a million of dollars, by way of PURCHASING *his* "free trade"! We have friends who are ready for this "speculation"—as things are at present.

The duty on such goods is $8\frac{3}{4}$ cents a square yard—the cotton in them costs $2\frac{1}{2}$ cents, together $11\frac{1}{4}$; we buy them at 8 cents the square yard; then, if the duty be a tax, the manufacturer not only gives his labor for nothing, but pays a *premium* of $3\frac{1}{4}$ cents on every yard that the people are kind enough to purchase of him! *Such is the reasoning of the "free trade philosophers!"*

The price of cotton goods is too low, by the domestic competition; but that must regulate itself. The following little statement may shew the power of protection to produce competition, and decline prices, as well as a volume of facts. In 1826 and '27, a sort of goods, well known as the "Warren calicoes;" were worth 17 cents a yard—the tariff of 1828 raised the duty, and they fell to 16—they were 15 in 1829, and now are only 14. What an "oppression" is here!

Such is the case in respect to *all* and *every* description of goods, the manufacture of which we have fairly "taken hold of." We speak without the fear of contradiction. *A reduced cost to* CONSUMERS *has universally followed increased protection to* MANUFACTURES.

Chemical preparations.

All these have been reduced at least 50 *per cent.* in price, because of the domestic manufacture of them. We shall notice only a few leading articles.

The old steady price of alum was from 5 to 6 cents—a duty of 250 cents per cwt. was laid upon it by the tariff of 1824, and the present selling price is $3\frac{1}{4}$ to $3\frac{1}{2}$ *cents* per lb.

Glauber salts had a regular demand at 4 cents per lb. —2 cents per lb. duty was levied the tariff of 1824, and the present price is 2 cents per lb., the exact amount of the duty.

Epsom salts had a steady price of 8 cents per lb.; a duty of 5 cents was laid upon them, and any quantity may now be had for $4\frac{1}{2}$ cents per lb.

Refined salt petre was from 12 to 14 cents per lb. before the tariff of 1824, when a duty of 3 cents per lb. was put upon it—it soon fell to 9 cents, and may now be had for 8 cents.

There is a duty on copperas of 2 cents per lb., the present selling price is $2\frac{3}{4}$ cents per lb.

Glass and glass-wares.

Such window glass as sold for $15 the 100 sq. feet in 1816—may now be had for 7 dollars and 50 cents, or one half the old price. Glass and glass wares generally, are more than one half less the price that they were before protection was extended to them, and we are thankful that they were *really* protected. We buy as many tumblers for 50 cents as used to cost us 100.

Cabinet wares, &c.

We are told that, on all sorts of *cabinet wares*, the people are "taxed," thirty dollars on every hundred of the cost, "or $3 on every cradle or table that costs $10." So says Mr. Raguet of the "Banner of the Constitution!" He also informs us, that *chairs, hats, leather and all its manufactures*, such as *boots, shoes, saddles*, &c. with, indeed, almost all the products *of mechanics*, pay the same "tax." Now, what *rogues* must these mechanics be, seeing that from Baltimore, only, they have exported, to *foreign* places, not less than 500,000 dollars worth of these articles in one year, *to meet the competition of all the world*, while they EXTORTED three dollars, on every ten, of the value of their products, *sold at home!* A leathern medal, with a suitable motto stamped on saw dust stiffened with glue, is worthy the man who thus exposes the *swindlings* of the mechanics! Some of "the boys," being upholsterers, might think that he deserved a coat of *glue*, sprinkled with *feathers*—but we hope that they will not bestow it! "LET HIM ALONE!" Let him wear his *English* coat—unmolested—"a monument of the safety with which error of opinion [or perversion of facts] may be tolerated, when reason is left free to combat it!"

Miscellaneous.

We have already extended this essay much beyond the limits that we wished to assign for it—but the facts are so numerous and the subject so copious, that it was impracticable to condense them more than we have done—we shall therefore conclude with a few more specifications, as to the happy effects of the "American system," in reducing the price of commodities—adding some general remarks.

Lead and all its manufactures, have been reduced much in value—the duty on pig lead is 3 cents per lb.—its price $3\frac{1}{2}$ cents; the duty on shot is 4 cents, the price 5. It was 9 to 10 cents before the duty was laid.

Gun powder was 45 cents, per lb. and is 22 cents and less. The common, as low as 10 or 12 cents.

Spirits of turpentine was 50 cents a gallon in 1823—now 30 cents.

"*Cyphering slates*"* were "*taxed*" with a a duty of $33\frac{1}{3}$ per cent.—and they are now cheaper by $33\frac{1}{3}$ per cent. than before that duty was levied, and of very superior quality.

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* We mention this important article because it is in the vast catalogue of "taxes," and *twice* mentioned—that lately was published, and there are many of its class: such as "bonnet wire," "braces," or gallowes—"chaffing dishes"—"Cologne water" "currants for mince pies," "dolls for children," "haversacks," "mittens," "otto of roses"—"pack-thread" twice mentioned—"powder, tooth,"—"spermaceti candles," "sweatmeats," *twice* put down—"toys,"—"tubs," "traps for rats and mice,"—"vinegar"—"wafers"—"walking sticks"—"tooth brushes" and "wigs" and hundreds of other *contemptible* things—a mere buggabo to frighten the vulgar, and disgraceful. Why were not *horn spoons, tooth picks, tweasers, nail-brushes, corn-cutters, whisker-patterns, shoe-strings*,—with SAND, LIME and CORE-WOOD? Nay, the very granite rock on which the rails of the Baltimore and Ohio road are laid, would be taxed—*if*—only IF imported, according to the *honorable* statement before us.

Paper is a great and valuable manufacture—the various business which old rags furnish is of a greater annual value than the cotton crop of South Carolina. The price of the article has declined about 20 per cent. though the duty upon it was much increased, and the quality has greatly improved by the domestic competition. The long list of "taxes" on books of different sorts, is a string of nonsense.

Castor oil had an average price of more than three dollars a gallon previous to 1824, when it was "taxed" with a duty of 40 cents per gallon. A large cultivation of the bean immediately followed, and the price fell to about 150 cents, except in 1828, when, because of a great demand for our oil in *England*, it rose to 275 cents per gallon, by which our farmers profitted.

Fire brick, in imitation of the English Stourbridge, and fully as good, are selling for 30 dollars a thousand. Before we made them ourselves, the British charged 70 dollars for them, and are now *kindly* willing to take 30. But our own are preferred—to prevent future impositions.

Cotton bagging, before the tariff of 1824, averaged about 40 cents per yard—it is now hardly worth 20, and has been sold at 18.

The manufactures of hides and skins are worth, at least, 30 millions a year, or 3½ millions more than the great export of cotton last year from all the United States.

There are fifty minor articles that we might add, as fast as we might write them down. But it is enough. In *what* is the consumer taxed for the benefit of the manufacturer? Take the fire brick as an example. John Bull demanded and received of us 70 dollars, for what he is willing to accept 30, since we began to make them for ourselves; foreign nations made us pay 3 dollars a gallon for castor oil, until we grew the bean on our own farms, and now it is worth only about 1½ dollars. What more is needed?

GENERAL REMARKS.

An important commentary on the facts stated, naturally presents itself—for matters of most serious interest to a large majority of the *people* of the United States are involved in them: but we must hasten to conclude.

Revenue, in some way raised, must be had. Public opinion, or, at least, the public practice, is in favor of supporting government by duties on importations. We shall not now contest the correctness of this opinion or practice. It is sufficient to our present purpose to shew that the *protection* of manufactures, which insures a home-market to our farmers, has not affected the amount of that revenue, or enhanced the price of articles on which it acts. We have demonstrated, and in a manner that cannot be disputed, that the price of protected commodities has universally declined and that those most *highly* protected have declined, at the greatest rate. There is no wonder in this—it is the natural result of *competition*—no matter whether among ourselves, or of the working people of the United States against those of Great Britain. Take the strong case of fire-brick, *not* affected by any newly discovered machinery, but only by the application of American labor, to bring into value what had been valueless American earths. While England had the *monopoly*, the price of each brick was *seven cents;* but when the persevering Messrs. Berry, of Baltimore, under the encouragement of the "Maryland Institute" offered a quite equal, if not superior, article, at *three cents*, the English makers were content to receive the same price for theirs. Generous men!—but such is the inevitable effect of a brisk and well-managed competition and in all things. Monopolies cannot long exist among ourselves. The Messrs. Berry already have successful rivals in their meritorious manufacture, in Baltimore. This is *unavoidable necessity* or what the ancients called "Fate"—and is applicable to *every* domestic manufacture, unless too insignificant to excite attention.

We shall shew in a note below, that protecting tariffs never had but little, if any, effect on the revenue as derived from the customs (unless to increase its amount)—*tho' the ruin of that revenue was mournfully predicted.* Those who made such predictions knew not even themselves—much less were they acquainted with the laws which regulate society. *Desire always presses upon means.* The man who earns one dollar a day, generally saves as much money at the end of a year, as another who earns a dollar and a half—for the reason that the latter indulges himself in what he calls *comforts*, while the other is bound down to the purchase of *necessaries*, only. These things are within every man's experience. We ask our readers to look round among their neighbors, and see if these are not so. And, strange as it may appear, a manufacturing village of 500 persons, though the greater part are children, consume more *duty-paying* articles than an agricultural population (of the same class), of 2,000 persons. The regular receipt of *money* by the former, enables, or tempts, them to gratify themselves in "comforts." Such is human nature, and we shall not find fault with it. There are more silk gowns and yards of ribband, at a factory using 500 bales of cotton a year, than among the persons engaged in growing 10,000—and much more tea, coffee and sugar is used. *Cyrus*, after his overthrow of the Babylonish empire, was told how great a sum of money he might have possessed, had he retained, instead of distributed, the fruits of his victories among his friends and followers. To shew the folly of such a calculation, he gave it out that he needed a larger sum of money—and it was immediately tendered to him by those to whom he had given the *means* of advancing it. So with us—if labor be rendered profitable, there is no fear of a lack of revenue. The product of the excise on beer, is a sure indication of the condition of the laboring classes in England. We refer to England, because the "free trade philosophers," make all *their* comparisons with a country in which the *poor's rates*, alone, are larger in amount than the whole of our revenue, reducing the public debt at the rate of 10 millions a year!—whose *church rates*, (collected at the point of the sword), would pay off all our national debt, in about a year and an half!

Advanced duties are, or are not, taxes, "according to circumstances." Now, if a person is *compelled* to use 20 lbs. of tea per annum, an increased duty would be a tax; but if at liberty to refuse the use of it, a diminished consumption might reduce the tax that he had paid. We do not grow any tea. But there is a "tax" of 15 per cent. or "15 dollars on every hundred of the cost," as Mr. Raguet has it, on wheat and Indian corn—*acorns* and *hickory nuts*—but the price of these is not affected by the "tax" on them.

It is then manifest, that the farmers pay less money for the articles needed by them, because of the manufacture at home, than they did *before* such manufacture was established. *We defy the shewing of a single case to the contrary*, even in "cradles" or "artificial flowers!" But this is not all. The *divided labor* of the people gives to the land-holders larger and more safe markets for their various commodities in grain and other vegetables, meats, drinks, fuel, timber, lumber, and all other products or profits, in *one* year, *than all the world has given them since the revolution*—excepting the cultivators of cotton, &c. whose product, great for export, is of small comparative value, with the requisitions of the home market. This may appear an extravagant expression to those who have not reflected on the subject—but the points that we have previously made and *sustained*, are to us "confirmation strong as proofs from holy writ," that this assertion is much within the range of "holy truth."

We add a table of the receipts, according to the nett amounts given by Seybert until 1815, and since derived from the documents.

The average from 1791 to 1800 was less than	$8,000,000
1800 to 1812 (or the war)	12,000,000
In 1816 and 1817, because of the exhausted stock of foreign goods of all sorts during the war, the average was (*a*)	31,500,000
1818	17,000,000
1819	20,000,000
1820	15,000,000
1821	13,000,000
1822	17,500,000
1823	19,000,000
1824	17,800,000
1825	(*b*) 20,000,000

(*a*) Notwithstanding the protecting tariff of 1816!

(*b*) Increase of two millions, notwithstanding the "abominable tariff" of 1824.

1826	23,000,000
1827	19,700,000
1828	23,000,000
1829 (about)	(c)22,500,000
1830 estimated	(c)22,000,000

These figures simply shew that the various tariffs have had no *necessary* effect on the revenue, unless probably to increase it. In 1820, '21 and '22, the productive labor of our country was at its lowest ebb, and the revenue, in *three* years, was only 45,500,000—or the same sum as is the *two* years of 1828 and '29.

☞The great benefit to the farmers from the *division of labor*, has been conclusively demonstrated—*but what must become of at least two millions of free persons, who are subsisted by domestic manufactures and internal improvements—these being abandoned?* This is, indeed, a SOLEMN QUESTION. Are the tanners, curriers, boot and shoe-makers, cabinet makers, chair makers, coach-makers, saddlers, and all the rest of the *mechanics*, to be cast out of employment—all the workers in iron, lead, copper,—in wool and cotton, flax and hemp, to be driven from their homes, to seek new means of livelihood, and simply because these freemen "*increase and multiply*" faster than *some* of the southern holders of slaves wish that they should do? *Here is the foundation of the opposition to the protecting tariff.* It is not worth while to mince the matter. As we stand before GOD, we believe that the more rapid increase of *citizens* in the north, middle and west, is the *leading cause* of the furious opposition to the tariff that is now going on, though unknown to the multitude of our opponents, for the accursed thing may not be openly proclaimed. We believe, it is the ground on which the leading politicians of South Carolina have placed themselves. Let the laboring people think of it—and, when working men toil for their children, let them reflect upon the desolation which these persons would cause to hold *political power*—"rather to rule in hell than serve in heaven."

FLOUR. By the Hibernia, at New York from Liverpool, we learn that the *sun* had made his appearance for a few days in England, and that the price of bread-stuffs had declined—the prospect of the harvest being good.

THE WEST INDIA TRADE. The New York Albion of Saturday, has the following paragraph:

"The hon. George Chipman arrived in the George Canning. We understand that the West India trade question, although under negotiation, will not be decided on before the next session of parliament."

And so, we suppose, "endeth the chapter" for the present.

MR. RANDOLPH, minister to Russia, was at London, with his secretary of legation, on the 22nd July. The Concord left Norfolk on the 28th June and arrived at Portsmouth on the 20th July.

SOMETHING NEW! We meet with the following article, copied from the U. S. Telegraph—

"*Official.*—On Monday, the 30th of last month, Mr. Steen de Bille had an interview with Mr. Van Buren, secretary of state, at the *City Hotel in New York*, when he delivered his credential letter as charge d'affaires of his majesty the king of Denmark, near this government.—And on the next day, the 31st, baron d'Ostensacken also had an interview with him, *at the same place*, when he delivered his credential letter as charge d'affaires of his imperial majesty the emperor of all the Russians; and they were accordingly recognized in that character."

The practice has been to receive such credentials at *Washington*, and for the *president* only to "recognize" ministers and agents.

A MISAPPREHENSION! "Gen. Jackson has too much good sense to exert the force of the government in execution of the tariff laws if they be annulled by a *sovereign state*. And if he had not, he will not *dare* to make the attempt. The blood of Brutus flows through too many southern veins. [*S. Carolina Jeffersonian.*

"The blood of Brutus!" Gen. Jackson not "dare" to fulfil his oath to support the constitution and laws of the United States! Bah!

MR. WHITE. At a public dinner given to the delegate from Florida, at Magnolia, the following toast was drank with much approbation:

"Florida—as impatient to break *into* the union, as South Carolina is to break *out:* perhaps it would be better for both to stay where they are, until better acquainted."

RHODE ISLAND. A greater regard to local feelings than political preferences, gave an "administration majority" in the legislature of this state last year. The elections are just over, and the majority is the other way.

KENTUCKY. It seems now settled that there is a "Clay majority" in the legislature. A bet of 500 dollars is offered in the Louisville Focus, that "a Clay senator will be elected by the next legislature of Kentucky."

INDIANA. The Lawrenceburg "Statesman" gives the names of all the members of the senate and house of representatives of that state, marking the political character of each. The recapitulation is, 33 representatives and 18 senators in favor of Clay, and 28 representatives and 5 senators in favor of Jackson—"Clay majority" in joint ballot 18, and a majority in both houses. This election has been regarded important, because that a senator of the United States is to be chosen at the next session, Mr. Hendricks' period of service expiring on the 3d March next.

MISSOURI. The Cincinnatti American says, on the authority of a letter from St. Louis, that the "Clay majority" in the legislature is at least 7—probably 10. But the majority is also claimed by the friends of the administration.

ILLINOIS. It appears that Mr. *Reynolds* has been elected governor of this state by a very large majority—the returns shew 11,006 votes for him, and 6,868 for his opponent, Mr. *Kinney*. The latter was the "regular Jackson candidate;" and we see it stated that Mr. Reynolds is so "moderate a Jacksonian as to cause himself to be suspected of Clayism." He was supported by the friends of Mr. Clay. Mr. Casey is chosen lieut. gov. by a majority 1,000 votes—for him 6,588, for Mr. Slocumb 5,647, Mr. Adams 1,272. The political characters of these gentlemen are not designated. The preferences of the members elect of the legislature, are not given. Mr. Reynolds is a decided friend of internal improvements and the tariff policy.

MISSISSIPPI. It appears that Mr. Plummer has been elected the member of the next congress from this state. For Plummer, 3133; Dixon, 2499; Wilkins, 2052; Norton, 1369; Sharkey, 1325, and Webber, 139.

We understand that Mr. Wilkins was the thorough anti-tariff candidate. Mr. Plummer is generally a friend of the system, coming from the sugar-growing district. Mr. W. had the "regular" nomination in his favor, as we see it stated in the papers, but failed.

COTTON. There arrived at New Orleans up to the 14th Aug. since Sept. 30, 1829 362,969 bales of cotton—in 1826-7 317,076; 1827-8, 302,599; 1828-9, 261,873—shewing a considerable increase for the last season. The exports have also increased.

Some new cotton, for the *northern market*, was sold at Charleston, S. C. on the 30th ult. at 11½ cents per lb.

THE BANK OF LOUISIANA shews a handsome exhibit of its condition. It had only $576,332 in circulation, but $420,880 in specie on hand—besides the cash in the different offices and other available means, making the grand aggregate of $876,038. The bills and notes discounted, or mortgages on interest, amounted about 3,500,000—capital paid in nearly 4,000,000—deposites to credit of individuals, 392,355.

(c) As stated by Mr. Secretary Ingham—notwithstanding the "revenue destroying tariff" of 1828. In 1829, the *three* first quarters yielded 17,770,000.

THE SILK ESTABLISHMENT begun by Mr. d'Homergue in Philadelphia, is said to be doing even better than was anticipated. All that is wanting is plenty of cocoons.—Reelers are learning the art successfully, and a good deal of beautiful silk has been already manufactured.—No doubt is entertained of the complete success of this important enterprise. The atmosphere and the waters of this vicinity appear to be admirably adapted for it.—The present season will prove by actual results, of which it is expected the public will be enabled to judge, that silk may be rendered a new and most lucrative staple for this country, hardly second to cotton in the facilities of its capital. Twenty years hence it may be as important an export as cotton. [*Am. Sentinel.*

DON MIGUEL is about getting himself into an "ugly scrape." A late letter from Fayal says—The American brig-schr. Ann Hammond, of Boston, from N. Orleans for Madeira, had touched at Fayal for refreshments, and was, 55 miles from Terceira, taken by the blockading squadron, condemned, and to be sent to Lisbon. A Spanish brig from Havana for Cadiz, full cargo, condemned. English brig Amelia, from Sierra Leone, full cargo, for England, condemned. English brig Velocity, from Valparaiso, full cargo, and $200,000 specie, condemned. All to be sent to Lisbon. The captain of the American brig was most shamefully robbed of his wearing apparel.

ALGIERS. *List of tributes hitherto paid by different governments to the dey of Algiers*—Naples and Sicily paid an annual tribute of 24,000 Spanish dollars. Tuscany, by treaty of 1823, was exempt from tribute, but made consular presents of 25,000 ditto. Sardinia is indebted to the mediation of England for her freedom from tribute, but she has paid considerable sums at every change of consuls. Portugal concluded a treaty similar to that of Naples. Spain was subject to no tribute, but made presents at every change of consuls. Austria, through the medium of the Porte, was exempt from tributes and presents. England made a present at every change of consuls. The United States adopted the same arrangement as England. Hanover and Bremen, under the protection of England, obtained the same condition; but their consuls paid large sums on arriving at Algiers. Sweden and Denmark paid annually a tribute of warlike ammunitions and naval stores to the value of about 4000 piasters. Besides this, these states gave, on the renewal of the treaties every ten years, presents to the amount of $10,000; and their consuls, on entering on their functions, made presents to the dey.

[*French paper.*

ROYALTY IN FRANCE. The *Drapeau Blanc* relates a curious anecdote, for the authenticity of which it vouches: The king, it appears, was unable to conceal his anxiety at the absence of intelligence from the army for several days after it had landed. This was observed by the duke de Bordeaux, who requested a private audience of the king; which was granted! On entering the cabinet, the young prince threw himself at the king's feet and said, "Sire, you are uneasy, and I know why! *Permit me to go to Algiers; the soldiers, at* my *appearance among them, would redouble their ardor, and soon all will be accomplished!*" The only reply the king was able to make was, "*Adorable child!* what a king will France find in you!*"

The following was the address of the *archbishop* of Paris to the king, when the latter attended the *Te Deum* at Notre Dame, on account of the conquest of Algiers:

"Sire—How many subjects of thanksgiving are centred in one point! What can be more deserving of our gratitude and admiration, than the event which now brings your majesty into the temple of the Lord, at the feet of the altars of the blessed Virgin!

"France avenged, and again learning that she can rely on you for the preservation of her glory and her happiness; Europe, freed from an odious tribute, and pouring out benedictions on your wisdom and your power; the sea, cleared of pirates, and assuaging its fury at the sight of your majesty's flag; commerce in tranquility, hailing your flag, which is respected throughout the universe; humanity triumphing over barbarity; the cross victorious over the crescent; the deserts of Africa resounding with hymns of the faithful; religion, so long a captive on a desolate land, proclaiming you as her benefactor! Son of saint Louis! what greater motive of joy and consolation can there be for your noble and generous heart than these glorious events? For us, your subjects, what an inexhaustible source of delight and transport do they afford!

"Thus the omnipotent aids the most Christian king, who prays for his assistance. His hand is with you, sire!—Let your noble soul continually increase in strength.—You trust in the divine succor, and in the protection of the virgin mother of God will not be without its reward. May your majesty receive new fruits of your piety!—May you still have to return thanks to the Lord for new wonders!"

[The Bourbons, with the old nobility and dignitaries of the church of France, will never learn that they are *men;* and as the people did not believe they are *gods,* it is no wonder that France is *revolutionized.*]

*The "adorable" is ten years old!

INTERESTING ITEMS.

The salt works on Plumb Island, on the eastern coast, have failed to accomplish their purpose, after the expenditure of 30 or 40,000 dollars. The great quantity of rain is assigned as the main cause.

We learn from rev. Mr. Newell, of Stow, Mass. who has kept an accurate account of the quantity of rain each year for the last fifty years, that the greatest quantity he has ever known to fall in one storm was from the 25th to 30th July, being more than 4 inches.

The following toast was given by A. C. Ainsworth, of Rhode Island, at the late anniversary:

"The wretch who would refuse to defend the liberties of his country—shod with lightning, may he be condemned, by the voice of a free people, to wander over a desert of gunpowder!"

The "Virginian" states that a young man recently descended, with the aid of a rope, from the summit of the Natural Bridge to its base—distance 220 feet. The adventure cost him a week's confinement to his room.

U. S. bank stock was recently selling at London for £28 8*s.* 9*d.* per share. The three per cent. consols were worth 93¾ *a* 94. Money seems to be very plenty in England. American stocks, generally, were high, and yet rather advancing.

Mr. John Francis of New Kent, Va. was lately murdered his by slaves—who then set fire to the house and consumed his body.

We are informed, (says the Greenville (S. C.) Mountaineer) that a cotton factory, owned by Hill and Clarke, was destroyed by fire on the 10th Aug. situated on Tyger river, Spartanburg district. The notes, books and machinery were entirely consumed. The loss is estimated from 30 to $40,000.

[We regret this loss, not only on account of the damage suffered by the spirited owners of the works, but because of the direct effect of the establishment to shew the folly of the out-cry against the tariff.]

A schooner lately left Detroit for Buffalo, with a cargo of furs valued at $150,000, the property of the American fur company.

A late London paper says—captain John Morgan, R. N., ex-commandant at Fernando Po, landed on Saturday week, at Portsmouth. Fifteen months ago, his force consisted of three officers, three medical men, and fifty marines: it now consists of himself and nine men. All the rest are dead!

The following toast was drunk at Springfield, Ohio, where an entertainment was given to Mr. Clay:

Webster, Holmes and Barton—The battle-axe, the spear, and the bludgeon.

The steam boat De Witt Clinton, on the Hudson, lately made nearly 16 miles an hour, from New York to Poughkepse.

At the second levee of William IV. a deputation from the society of Friends was introduced, their *hats* having been removed by the yeomen of the guard. William Allen read the address. The king returned a very friendly answer from his throne. The same person then read an address to queen Adelaide, who made a very condescending reply.

NILES' WEEKLY REGISTER.

FOURTH SERIES. No. 4—VOL. III.] BALTIMORE, SEPT. 18, 1830. [VOL. XXXIX. WHOLE No. 992

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES & SON, AT $5 PER ANNUM, PAYABLE IN ADVANCE.

COMPETITION. We recently mentioned a great export of Richmond flour, from Baltimore, for Brazil, where it commands a considerably higher price, because of its excellent quality, than any other—and we also observed that, not long ago, the "family flour" consumed at Richmond, was transported thither from Baltimore!—We since see it stated, that, in the period of one month lately ended, within a fraction of 27,000 barrels of "Richmond city mills" flour, were shipped at that port (direct) for South America, in 14 vessels. Now, if things had been "*let alone*," the mighty water-power at Richmond would have remained as it was; and Baltimore still have had the profit of supplying Richmond with "family flour." And why not as well send wheat, raised near Richmond, to Baltimore, that it may be manufactured into flour, and returned,—as send our wool and cotton to England, receiving English woollen and cotton manufactures in exchange for them?

"POLITICS FOR FARMERS." The following small matter plainly shews the operation of the general principles set forth in the last REGISTER:

On Monday, 13th inst. several eastern vessels were loading with corn, and it was brisk at 58 cents a bushel—on Wednesday, the 15th, no vessels were loading, and it was dull at 56 cents. Now here was a difference of 10 dollars on 500 bushels of corn—no great quantity for a farmer to send to market, simply because the eastern demand was checked for two days.

BRITISH CROPS, &c. The last six weeks, average price of wheat being 70*s.* 6*d.* reduces the duty to 10*s.* 8*d.* per quarter; and there had been some subsequent rise of price. But the prospect of the crops was regarded as good. The advance was caused by a supposed deficiency of *old* wheat, to feed the people until the new came in.

WEST INDIA TRADE. The London *Courier* of the 27th July, had the following paragraph.

"The desire of the Americans to recover their trade to the West Indies, may possibly come also, in the shape of some treaty, before parliament; but the bearing of the British interests in that question is now so perfectly well known, and the good-will towards us of gen. Jackson's administration is so properly appreciated, that if any arrangement be settled, it will probably be of a more satisfactory nature than it could have been at an earlier period."

THE PRESIDENT of the U. States left Nashville on the 31st ult. on his return to Washington, in good health.—He attended a party, given to Mrs. Donaldson, at which 1,000 persons were present!

MR. VAN BUREN. We forgot to mention last week, that the secretary of state had returned to Washington. Before leaving New York, he partook of a dinner, given at the expense of the corporation of the city, at the Alms House.

COM. PORTER. It is suggested that this gentleman, on his arrival at Algiers, as consul general, must have found himself in an awkward predicament—his letters of credence being addressed to the dey.

"THE CONSTITUTION." A report has spread abroad that the secretary of the navy wishes to *sell* the frigate Constitution! We do not believe it; or if so, cannot apprehend that those having superior authority will permit a proceeding so repugnant to the best feelings of the people. If unworthy of repairs, let her be hauled up on the land, and have a house built over her, to remain as long as her wood and iron will hold together, a pioneer in breaking the boast—that

"The winds and seas are Britain's wide domains,
"And not a sail, without permission, spreads."

MILITARY. Several additional companies of U. S. troops have been ordered into the Cherokee country—as is said for the purpose of preventing diggings for gold; which it is stated will no more be permitted to the Indians, who yet own the land, than white persons.

LATE FROM FRANCE. Our last accounts justify the hope that we entertained, as to a quiet settling down of the people of France, after accomplishing the expulsion of the Bourbons; and it would appear that few excesses, indeed, were committed by them, unless when indiscreetly opposed by the high royal party. The unanimity shewn is truly wonderful. The revolution was consummated in three or four days at Paris, and so in all the places heard from, at most without shedding one drop of blood; and the blacksmith returned to his hammer, the carpenter to his saw, the shoe-maker to his last, &c. content with shewing how much greater things might have been done, had the public good required them.—We regard such events as honorable to the human character.

We have inserted a sufficiency of the latest news for a general history of what has passed; and also give a copy of the "charter of France," which possesses unusual interest just now.

The French revolution is warmly greeted in every part of United States from which we have heard, and by persons of all parties. There was a great celebration of the event at Richmond, on Saturday last.

BALTIMORE. The anniversary of the battle was observed on the 13th, by displays of flags, the illumination of the museums and the theatre, and some military parade. The tri-colored flag was ranged beside some of "the bits of striped bunting."

BALTIMORE FISH MARKET. The every-day enjoyment of good things renders us less anxious to speak of them; but we think that, taken as a whole, the Baltimore fish market, being the chief place of deposit for the choise *fruits* of the waters of the Chesapeake, may contend with any other. In the season, just now commencing we have a plentiful and cheap supply of *oysters*, which it requires no *Apician* essay, as to the "ways and means of provoking an appetite" for; and we have also excellent *clams*. Our *crabs*, two or three of which make a full meal for a moderate eater, though not fitted to adorn a table like lobsters, are much milder and richer food—and, when prepared for use as they should be, indeed, delicious; and we have tens of thousands of them in their *soft state*—the *ne plus ultra* of the lovers of good eating, always excepting our *terrapins*, better things than ever gratified the palate of *Heliogabalus*. Then, in the first rank, (after shad and herring, by far the most valuable of all, because of their quantity, and of which, in most years, vast numbers are salted and packed), we have *mackerel*—not exactly like that fish in the Delaware or further east, but as delicate and rich as either. These are in season in August and September, sometimes comparatively plentiful or scarce, but always commanding a high price, from 25 to 100 cents each. They are a beautiful fish, from 12 to 20 inches long, roundish and solid. Another fish called "*tailors*," which are numerous and cheap, have much of the flavor of the mackerel, and by some are said to be quite as good, though not looking so well on the table. Then we have "*rock*," from 6 inches to 5 feet long—*white* and *black* and *yellow perch*, by tens of thousands, with several other kinds equally abundant. The *black perch* is a very superior pan-fish—

the best, perhaps, of all. White cat fish and eels are very plentiful; and frequently it is so that for 6 cents, or less, a person may buy as many fine fish, just from the water, as will supply a large family with a full and luxurious meal. The bay also abounds with porpoise, drum and sturgeon, &c.

IMPOSITION. We copied, some time ago, an account of a "devilish" duel, as having taken place between doctors Smith and Jeffries, and it passed through perhaps, 4 or 500 newspapers; but it seems that the whole story was a *hoax* "played off upon the public credulity!"

MR. WIRT AND GOV. GILMER. We publish certain letters between Messrs. Wirt and Gilmer, relative to the 'Cherokee case," about to be brought before the supreme court of the United States, and to which even the "sovereign state" of Georgia, though it may refuse to plead, will be expected to submit, as Virginia, Maryland, and other states have done. Without some high and common arbiter for the settlement of disputes of this character, the union is not worth one cent, and Dr. Cooper has *our* approbation to put it down at a ha'penny, English, without going into any calculation of its value. We judge not the case—that belongs to others who will determine it faithfully—*and fearlessly*. The thunders of Georgia will not be regarded by that lofty tribunal, more than the wailings of the poorest and most miserable of the Cherokees—the power of the one will no more influence an unjust decision, than the wretchedness of the other cause a sympathy running into error: and the decision will be supported by the *people*. A desire on the part of many, and long entertained also by ourselves, to lessen the power or reduce the jurisdiction of the supreme court of the United States, and a resistance of its authority, are very different things. If its organization be wrong, or its power illegally exerted, there is a remedy for either—and the people will apply it for correction—not destruction. And in any event—there must needs be some tribunal of a *last resort*; something which the common sense of all men, for self-preservation, shall accept, not as *infallible*, but as being the nearest possible approach to perfection. Without it, what shall prevent Massachusetts from trespassing on Rhode Island, New York on New Jersey, Pennsylvania on Delaware, and so on, to the extremes of the union? If the legislature of New York, for example, shall pass a law claiming the entire jurisdiction over the lower Hudson, may not the right of that law be *questioned*—the titles examined into, and the case settled, by other means than an appeal to force? What a fearful matter is here presented to consideration—and yet such is exactly the stand that Georgia has taken. She claims the right of sovereignty over the Cherokee lands—she may or may not possess it; but if we understand the law of Georgia, or the indecorous taunt of gov. Gilmer, it is highly criminal to *doubt* such claim, by the institution of a legal process! The governor disavows any right to intertere with Mr. Wirt, "*so long as he keeps beyond the jurisdiction of the state.*" How generous! It is as much as to say, that no one, within the territory of Georgia, shall dare to question the *infallibility* of the legislature of that state—and that if Mr. Wirt ventures on Georgia land, he shall be arrested and punished, because, and simply because, he is acting as counsel for a numerous people, having among them *aboriginal* rights of the soil, with a view to ascertain how far, or in what manner, those rights have been reduced or parted with. That the "sovereign" power *was* in the Indians, cannot be disputed—and may not the claim to dispossess them of that sovereignty be *examined* in a court of law? Is *force* to be the only arbiter? What then shall become of the small states? Take this case—suppose the great state of New York, with her two millions of people and abundant means, shall claim a "sovereignty" over the harbor of Savannah, as convenient for her navigation and commerce, and pass a law making it highly penal in any one, within her jurisdiction, to *doubt* the legality of her claim—what would Georgia do? And New York, if left to herself, might just as certainly hold jurisdiction over the harbor of Savannah, as Georgia can over the lands of the Cherokees.

We have prefixed to the correspondence certain remarks from the "Georgia Journal," the official organ of the government of that state. They carry in themselves their own comment. The editor speaks of "unparalleled impudence," in the proceedings of Mr. Wirt. Most persons will think that such rude reproof has fastened itself upon their own selves.

We regard Mr. Wirt's letter to gov. Gilmer such as any private gentleman would have regarded as not only respectful, but courteous. What there is in the constitution of a *governor* to resent what a private *gentleman* would applaud, we know not; and we shall be surprised, indeed, if the governor always reflects on this proceeding with complaceney.

These papers shall be followed by Mr. Wirt's "statement of the case," and "opinion," adverse to the claims of Georgia—and also the "opinion" of judge Clayton, of Geo. ardently in favor of these claims.

The whole question is one of profound interest. Its very nature should forbid a passionate discussion of it. The law must be determined accerding to the provisions and principles of the constitution, and neither party can establish these provisions and principles. A *nullifying* power is inadmissible, unless exerted in a constitutional way. A majority may err—has erred; but who shall decide in that case? Shall the sword be unsheathed, or reason be allowed a dominion? "Angels in the form of men" have not taken up their abode with us to guide us—and until they do, the voice of the people must be accepted as the "voice of God." We have no other standard of political truth than the public judgment—which though it may be wrong, involves in it the necessity of submission. The *union* can exist only upon such terms. If there be a right in a state to *nullify* the acts of the United States, each county of a state has the same right as to the acts of its own state. "Chaos must come again;" and this fair republic, "the hope of all men who love liberty," become what Poland was, the prey of contending chiefs—among whom the sharpest sabre was the best interpreter of the law—and indeed, the only one. *Georgia* cannot claim any thing that she will not yield to *Delaware*, or either what must not be granted to any other state in the union—and, with twenty-four differing constructions of the constitution and the law, it is utterly *impossible* that any other medium, than through the shedding of blood, can be devised by which to appease, or put down parties; and *generals*, as in Colombia and Mexico, instead of judges, will make and exeeute the law.

The people are not ripe for such a state of things—and until they are, the authority of the supreme court *will* be supported.

ANTI-MASONIC. "The United States' anti-masonic convention" commenced its session in Philadelphia on the 11th inst. Leave was asked, (on the part of those who had been appointed to provide a place of meeting) for the use of the "Hall of Independence," but the request was decidedly refused.

The convention met in the district court room, on Saturday last—present 96 delegates—26 from New York, 15 from Massachusetts, 8 from Connecticut, 5 from Vermont, 2 from Rhode Island, 25 from Pennsylvania, 7 from New Jersey, one from Delaware, 5 from Ohio, one from Maryland, and one from the territory of Michigan.

Francis Granger, of New York, was appointed president—Joseph Ritner, of Pennsylvania, Abner Phelps, of Massachusetts, Robert Hanna, of Ohio, and Samuel W. Dexter, of Michigan, vice presidents—John Clarke, of Pennsylvania, and Noble B. Strong, of Connecticut, secretaries; after which the convention was opened by prayer from the rev. Mr. Thatcher, one of the members.

[The results of this meeting shall be duly noticed.]

NEW YORK. The convention assembled at Herkimer on the 8th inst.—124 delegates answered to their names, all the counties except Cataraugus and Franklin represented. James L. Hogeboom, of Rensselaer, was appointed president, and Mr. Maxwell, of Tioga, and Mr. Seger, of Lewis, secretaries. After the nominations and a speech from Woodward, of New York, in favor of Mr. Root, the preliminary ballot being called for by Mr. Sudam, the vote was taken, and stood thus—for Enos T. Throop 78, Erastus Root 40, John Savage 4, Nathan

Sanford 1—total 123. On the second ballot, Mr. Throop had 93, Mr. Root 30, and Mr. Sanford 1. Whereupon, Mr. Throop was declared "duly nominated," for the office of governor of the state of New York.

The convention then proceeded to ballot on the nomination of a candidate for the office of lieut. governor—Edward P. Livington had 77 votes, John Tracy 28, Jesse Buel 11 and Nathaniel Pitcher 7. Mr. Livingston was declared duly nominated.

A committee was then appointed to draft an address, &c.

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Gen. Root has not had an opportunity of accepting or refusing the nomination of the "working men's convention" at Salina. He was, at the last accounts, in the Michigan territory, holding a treaty with certain Indians. But he signed the requisition for, or recommendation of, the *Herkimer* convention, and is so far "committed" to abide by its determination in favor of Mr. Throop. As we have always understood the principle of party "nominations," in which, years ago, we had a full share—it is *imperative* on gen. Root to submit to the decision at Herkimer, unless resolved to become an alien to the party with which he has hitherto generally acted—or, in old phrase, a "*tertium quid.*" By the rules of party, as well as its practices, he stands in this dilemma; but the fair calculation is, that he will not accept the nomination at *Salina*, in opposition to that at *Herkimer*, being a party to the latter, and willing to preserve a political consisteney; and yet we see it mentioned that his friends at the latter convention retired before the proceedings were closed. Their attendance surely gave a party-pledge to abide the nomination—for, in such meetings, it is conceded that the majority shall rule—unless, indeed, a convention represents only a minority of a party, as in the famous case when *sixty-six* members of congress attempted to *force* the election of Mr. Crawford to the presidency, through party discipline.

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VERMONT. The general elections in this state were held a few days since, for governor, members of congress, assembly, &c.

There were three candidates for governor—Mr. Crafts, national republican, Mr. Palmer, anti-masonic and national republican, and Mr. Meech, Jackson. It appears probable that no choice has been made; for, though Mr. Crafts has a much greater number of votes than either of the others, a majority of the whole is required, and Mr. Palmer made a heavy poll. Mr. Meech seems to have received a much less vote than was given to the Jackson candidate last year. Mr. Crafts will be elected by the legislature—in which the national republican majority has been increased. The Windsor Republican states that of the 30,000 votes polled, not less than 25,000 were national republican.

Mr. Mallary has been re-elected to congress without serious opposition. Mr. Hunt, it appears, is re-elected. Mr. Allen, late minister to Chili, is chosen, we think, in the place of Mr. Swift, declined. Mr. Everett has probably failed—for him 2,743, Mr. Ransom (anti-masonic) 1,781, Mr. Partridge (Jackson) 774, and a few scattering—enough to prevent a choice. We have no return from one of the congressional districts.

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MAINE The election for governor of this state, &c. is over, but we have not had time to receive a single return of votes.

—

THE LOUISVILLE AND PORTLAND CANAL, it is thought by the editor of the Louisville Focus, will be opened for the passage of boats during the ensuing winter. Between six and seven hundred men are engaged in boring, blasting and removing the solid mass of rock through which the canal passes. The length of the work will not exceed a mile and a half.

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THE FUR SEAL TRADE was, last year, worth $100,000 to the ship-owners and people of Stonington, Con. It is a fine nursery for the most hardy and best seamen in the world.

—

REGISTER OF DEBATES. We are happy to learn that this important work, by Messrs. Gales and Seaton, though delayed, has not been "given up," as has been reported. Several hundred pages of the 4th volume are already printed.

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THE WORKING CLASSES. The Paris *Moniteur* of the 4th August, says—

"It is a remarkable fact that the people, the lower classes, the *mere mob*, who were the real combatants, and who triumphed, have, after the victory, peaceably returned to their labor, and that, conscious of their incompetence to enter into political controversies, they are in arms and constitute that force which enables society to re-assert their political rights, whilst it abstains, however, from intermeddling with discussions. During the forty-eight hours that Paris was without any authorities, without magistrates, and without a police, as well as without regulation or organization of any kind, the individual devotedness and probity of every private man has suppressed disorders in all parts of the town. Order prevailed in the midst of anarchy, cheek by jowl with poverty and disinterestedness. Amidst universal confusion, the most perfect harmony and the most admirable courage were invariably displayed."

☞ These are of the "*two fisted men*," of whom we advised certain persons in the east to beware, in 1814—and who will scatter the far less excusable hatchers of treason in the south, in 1830—if the standard of the *union* shall needs be raised to put down the "nullifying" seekers of power.

Take another specimen of these "working people"—

In the St. Honore on the 27th July, a woman, between 30 and 35 years of age, was struck dead by a ball in the head: a *journeyman baker*, with his naked arms and legs, and of a colossal stature and herculean force, immediately seized the corpse and holding it over his head, carried it to the Place des Victoires, crying out vengeance!—There, after having laid it down before him, upon the ground, and at the foot of the statue of Louis XIV, he harangued the multitude who surrounded him with an energy which made their souls vibrate; after which he took up the body and carried it towards the guard-house of the bank, which is very near the Place des Victoires, and had scarcely arrived before the soldiers who were assembled at the door, when he threw the bleeding corpse at their heads, saying, "There, see how your comrades treat our women! would you do as much?" "No," said one of the soldiers, taking him by the hand. All the soldiers looked pale, and tears fell from the eyes of the officer.

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THE "NULLIFIERS!" *From the National Intelligencer.* The following is taken from the "Southern Times and State Gazette," published at Columbia, S. C.:

"The National Intelligencer says we are mad. It is one of the peculiarities of maniacs, that they fancy themselves kings, lords, and despots. Apply this test to the parties of this country, and it is not difficult to say upon whom judgment will fall. The people of the south are much less elevated in their day dreams than their *brethren* the vampyres. Slavery and poverty are the images which dance before their imaginations. These are rather the attendants of the humble realities of life than the genii of hallucinated visions. Let our monarchs of the straw look to the duration of their empire. For ourselves, we are preparing with

"——— ———Resolved hand,
To strip the ragged lollies of the times
Naked as at their birth."

If we do "rave," there are those who shall learn that there is some "method in our madness"

We did not say exactly what is here imputed to us, though we certainly intimated a derangement of the ideas of our friends the ultra-nullifiers, among whom the editors of the Times take a pride in classing themselves. We really begin to fear, now, that there *is* some "method in their madness:" for we see it charged on them, in the Edgefield Hive, that they declared as follows: "*If the tariff were to be repealed to-morrow*, IT WOULD NOT CHANGE OUR TONE!"

—

EXPLANATION. We published in our last, an "official" account of the *reception* and *recognition*, at the *City Hotel in New York*, by Mr. Van Buren, of the Da-

nish and Russian charge d'affaires, of which the following explanation has appeared in the same paper that contained the original announciation of the proceeding.

From the U. S. Telegraph of Sept. 9. The reception which was lately given to two foreign agents, by the secretary of state, at the City Hotel in New York, and his recognition of them, as charge d'affaires near this government, having occasioned some criticisms in the public journals, it may be well to place this matter in its true light, for the removal or correction of undue impressions concerning it. With this view, it is entirely sufficient, it is presumed, to state that, according to the established and well known usage in such cases, charges d'affaires, are never accredited, by the sovereign authorities of the states which employ them *immediately*, to the supreme executive authorities of those to which they are sent; but that their letters of credence are invariably addressed to the ministers having the charge of the foreign relations of the states last referred to, and are signed by those of the governments employing them; and it is not pretended that there was any departure from this usage in the cases to which allusion has been made.

Upon these grounds it might and would have been considered ungracious in Mr. Van Buren, the secretary of state, to postpone the reception and recognition of the Danish and Russian charges d'affaires, which have occasioned all this criticism, till his return to the seat of government; and there is nothing in the circumstance which should excite surprise or observation, that, at their instance, he gave them interviews, to receive from them in person their credential letters, which were doubtless addressed to himself, at his lodgings in the city of New York, where all the parties happened to be at the time; by which they were at once, and so much the sooner, enabled to enter upon the duties of their respective appointments.

THE CHARLESTON ELECTION of an intendant, has excited an uncommon degree of interest, because that Mr. Henry L. Pinckney, the *late* intendant, (as we are glad in being favored so to call him), who is also the *editor of the Charleston Mercury*, the "great-gun" of the "nullifying" *nation* of South Carolina, was a candidate for re-election. A little while ago, Mr. Pinckney, falling-in with the anti-radicals of South Carolina, went the "whole length" against the starched doctrines concerning state-rights, and was a full-blooded "*latitudinarian*" on the subject of internal improvements—finding power in the constitution (as did all the chiefs of the anti-radicals), which we, with all our liberality, sometimes questioned. But, in the course of time, the "wind changed,"—"sharp corners were turned"—what was white became black, a camelion-like state of politics followed, and no persons are now so much objects of enmity to the *late* southern anti-radicals, as those who had generally thought with them—and would not, or could not, twist as they twisted. The most *magnificent* specimens of inconsistency which our country might boast of, are to be found in the conduct of some of the persons alluded to. The old saying is—"that one renegado is worse than ten Turks"—and the most stiff and austere of the "Virginia doctrines" are only the A B C of political right, as taught in the *new* South Carolina school. It has been made a question of doubt in the minds of some *calculating* students, if it be constitutional in the United States to collect duties at the port of Charleston, on goods imported; and the idea of making that city a "free port" has been fairly suggested! Those admitting that they have been in error themselves, should judge charitably of others yet adherings to their own old faith, and may not administer "*southern sugar of lead*" to heal them of *consistency!* Roastings of the bodies of men for the good of their souls, has gone out of fashion; and many persons now even think that the best way of converting the Indians to *Christianity*, is not

"By boring their hellies with bullets."

We find fault with no man for changing his opinions. It is the natural right of a reasoning animal. But when extremes meet—when the anti-radicals of South Carolina have covered themselves with the old "red-jackets" of the radicals of Georgia, &c. and would proceed to violences which the other never imagined, there is strong reason to presume the existence not only of a wonderful *conversion*, but of an alarming *combination*.—The suddenness, however, with which the anti-radical flag was "doused"—and the humility that proud men have shewn in submitting their favorite doctrines to the dominion of the late bitter opponents, cannot be too much admired!

But we have time only to notice the Charleston election. For some time past, the *Mercury* teemed with essays and paragraphs, in broad praise of its editor—personally and politically, and violent articles appeared to rouse the worst feelings of the populace in his behalf. The election took place on Monday, the 6th inst. and the *Mercury* of that day, was so *hot* that it must well-nigh have melted the types as the paper pressed upon them?—The *whole* of the paper [8 columns], not given up to advertisements, is filled with hot and heating things. Their number relating *immediately* to Mr. Pinckney, and the place that he wished to hold, are about *twenty two*, and there are several others bearing upon a support of him! We give the following as specimens—(each printed as it was printed in the *Mercury*), for the gratification of the public curiosity, and to teach other editors, being candidates for office, how to manage such matters!

[FOR THE MERCURY.]

CHARLESTON BOYS!—MY DARLINGS!

LIBERTY are you for!—or SUBMISSION! FREE TRADE!! or the TARIFF!!! EQUAL RIGHTS—or MONOPOLIES!!!! A FAIR-FIELD—or RESTRICTIONS!!! **SOUTH-CAROLINA**—or the "**AMERICAN SYSTEM**"!!!!—PROSPERITY—or RUIN!!! —**PINCKNEY**—or PRINGLE!!!!!

DECIDE AND VOTE!

GROCERS OF CHARLESTON!

Are you for *abundance of Groceries*—OR EXCLUSION?—*Numerous Customers*—OR NO PURCHASERS? *Open Commerce*—OR TARIFF SYSTEMS? **ANDREW JACKSON**—or CLAY and WEBSTER —**PINCKNEY**—or PRINGLE!!!!!

DOWN WITH THE TARIFF.

MECHANICS OF CHARLESTON?

Are you for *Prosperity and Trade*—OR NO EMPLOYMENT!—*Wealth and Freedom*—OR POVERTY AND SUBMISSION!! *Work at Home*—OR NORTHERN MANUFACTURES!!!—**PINCKNEY** —or PRINGLE!!!!!

(Rally Round the Palmetto Tree.)

SHIP BUILDERS OF CHARLESTON!

Are you for *Plenty of Shipping*—OR NONE AT ALL! *A Large Commerce*—OR NO TRADE!!!! *Full Employment*—OR NOTHING TO DO!!!!—*Unrestricted Navigation.*—OR EMBARGOES!!! *Him who resists the Tariff*—OR HIM WHO COLLECTS IT!!!! **PINCKNEY**—or PRINGLE!!!!

(Vote for Commerce and Pinckney.)

HOUSE-HOLDERS OF CHARLESTON?

Are you for *High Rents*—OR NO RENTS AT ALL!!!! *Abundance of Tenants*—OR HOUSES SHUT UP!!! *Cash on Quarter Day*—OR BAD NOTES!!!! *Charleston Flourishing*—OR CHARLESTON IN RUINS!!! *Him who opposes the Tariff*—OR HIM WHO COLLECTS IT—**PINCKNEY**—or PRINGLE!!!!

(Vote for Charleston and Pinckney.)

WHARF HOLDERS OF CHARLESTON!

Are you for *Empty Wharves*—OR PLENTY OF SHIPPING!! *Stores shut up*—OR FILLED WITH GOODS! *High Rates of Wharfage*—OR MISERABLY LOW!! *Free Trade and Full Cargoes*—OR RESTRICTION AND NO GOODS!! *Him who Resists the Tariff*—OR HIM WHO COLLECTS IT!! **PINCKNEY**—or PRINGLE!!!

(Vote for Pinckney and yourselves.)

These are specimens of *Monday's* paper. The result of the election, was known in the evening of that day, and on *Tuesday* we had as quiet and orderly a newspaper as one might desire to see, given up to a peaceful detail of ordinary news—*but not one word about the election, nor one paragraph even concerning the* WEIGHTIER MATTER OF STATE RIGHTS! The whole seemed to have "gone by the board;" and if the "Courier" had not have had a little paragraph on the subject, shewing that Mr. Pringle, (an anti-nullificator, with *all* the wardens, 12 in number, also anti-nullificators), had been elected,

what fearful things should we not have imagined from this *awful* settling-down into a flat silence! We might have regarded it as that solemn stillness which precedes the earthquake! But, in his next paper, Mr. P. makes an excuse for not having noticed the result of the election. He had depended on a friend to do it—and that friend was not "i' the vein."

Towards Mr. Pinckney, personally, we have no feeling discordant to entire good; but have sincerely regretted to see him, as a *chief magistrate*,* prompt the people forward to "nullification." It was bad enough for the *editor* to insert so much self-praise in his own paper, but worse in the *magistrate* to seek a leading part in what men may call "moral treason," and suffer it to be made as a charge against Mr. Pringle, his successful opponent, because that he is collector of the port, and receives the revenue of the United States! We think that his being a federal officer was a sound objection to the election of Mr. Pringle—and, all other things being equal, we should not have voted for him, had that right existed in us; but when the question is harmony or discord—peace or civil war—security, or perhaps, a servile insurrection—we would rather have suffered a "withering of our good right arm," than have raised it to put in a ballot for Mr. Pinckney, under the circumstances in which he was placed. And in this matter there is no narrowed political feeling—*it is the same that we held in* 1814; and we rejoice in this new triumph of the constitution. Mr. Pinckney, it is true, has charged the friends of Mr. Pringle with something like Adamsism, Clayism or tariffism; but we believe that Jacksonism is the prevailing *ism* in Charleston, and, probably, all the gentlemen elected are friends of the present adminstration; but we rejoice that *nullification* has been *nullified* in that city; and are glad also, to observe that the friends of the union will be ably supported in many other parts of South Carolina—that the people of this state, for whom we have always entertained the kindest wishes, will not plunge into *ruin*, that profligate men may *rule* them. We regret to add, that the excitement at Charleston among the most thoughtless part of the community, caused, perhaps, by inflammatory paragraphs and handbills, such as we have *registered*, should have led to a cowardly assault on the editor of the City Gazette, by a mob of two or three hundred persons, generally armed with clubs; but who, it seems, were kept off by fear of a little of the "sugar of lead," so much talked of, and the interference of *gentlemen*. The editor of the "Gazette" is a decided opponent of "nullification."

Mr. Pringle had 838 votes for intendant—Mr. Pinckney 745—majority 93.

The "union ticket" for wardens, was generally elected by a large majority.

INTERESTING PROCEEDINGS. The Baltimore Gazette of the 11th inst. says—

"We announced to our readers in July, last that contracts had been made for graduating a part of the third division of the Baltimore and Ohio rail road, between the forks of Patapsco falls, and Parr's spring ridge, at rates which would reduce the average cost to about seven thousand dollars per mile for the excavations, embankments and masonry necessary for the graduation to prepare the roads for laying the rails. We have now the pleasure to add, that the contracts for the residue of that division have been made, at a still lower average rate for the graduation, which, in consequence of the favorable character of the ground, will not exceed *five thousand dollars per mile*.—The work is rapidly progressing under the contracts first mentioned, and some of the sections will be completed before the end of October. The following account of the experiments made on the rail road yesterday will be found interesting.

Interesting rail-road experiments.—In the course of yesterday some experiments were made on the rail road which illustrated in a striking manner the immense facilities which this mode of transportation offers for the conveyance of heavy burdens. About nine o'clock in the morning, four wagons were attached to each other whose weight and contents were as follows:—Two of the wagons were laden with three tons of coal each, and the other two contained each two and a half tons of iron. The wagons themselves were estimated to weigh three-fourths of a ton each, and the weight of four men who rode on them was about one-fourth of a ton. With this load, making an aggregate weight of *fourteen and a quarter tons*, a *single horse* travelled with ease from the depot at Pratt street to the mills, at the rate of three miles an hour, encountering for half the distance, an elevation in the road of twelve to twenty feet in the mile. The experiment was witnessed by numbers of passengers on the road.

About five o'clock in the afternoon a train of eight wagons, laden with stone rails, started from the mills with one horse. The weight of the rails was estimated to be twenty eight tons; the wagons themselves weighed each three-fourths of a ton, or six tons in all, and twenty-two laborers rode on the top of them, whose aggregate weight was one and a half tons. The entire weight of the whole, therefore, was *thirty-five and a half tons*; and yet with this immense load a *single horse* trotted to the Patterson viaduct, in the vicinity of which the rails were required.—All the wagons used in these experiments were of the *common* kind, except one of the coal wagons, which is on the Winan's plan. [*American.*

[It appears that the curvatures of the road partially affected the progress of the horse descending with his load of 35½ tons, at the rate of six miles an hour, the greatest descent being 20 feet in a mile; but is believed that had all the wagons been of the improved kind and the road level, the horse might have drawn as large a weight, with the same ease.

The travelling on the road continues as heretofore—and the transportation of goods is now considerable. It was 16 weeks last Monday since the opening of the road, and though only one track is fully completed, the receipts amounted to nearly 17,000 dollars, for the 16 weeks.

A fatal accident happened on the road a few days since. The driver of a carriage laden with 37 persons, because of some bad conduct of the horse—which he was attempting to correct, *lost his seat*, and falling on one of the rails, was so dreadfully cut and bruised by the wheels that he almost immediately died.]

☞It requires no small degree of self-command—or philosophy, *always* to refrain from doing wrong in repulsion of wrong suffered. It is said that a "saint may be provoked." We have no pretension to the character of one—but would not forget the respect due to the soberness of truth—which is "a victor without violence." It is a "hard thing," however, when "smitten on one cheek to turn the other," or to allow a person who has stolen one's cloak "to take the coat also." And it is also a "hard thing to bear," when we hear the mechanics and manufacturers of the United States denounced as a set of *extortioners*, *swindlers* or *thieves*, to remain passive, and say "thank-ee"—being of the family of "working men," and having served a regular apprenticeship to the mechanical business that we yet conduct. In a *part* of our last impression, being provoked by what we regard as a libel on our fellow mechanics, we used a few words which, though softened down into playfulness, might be construed, by the malicious, as sanctioning a proceeding that we entirely reprobate, and should earnestly resist, even at much personal hazard—but we withdrew them.

The "Georgia Journal" of the 4th, just received at the time of this writing, has some extracts from the "Register" which will stand the "test of circumstance and time," but calls one of them "*the double distilled essence of monkey-craft*"—the *grand invention* of the editors of that paper being in the coinage of the phrase "monkey system," as applied to the protecting system, though supported by *Washington*, *Jefferson*, *Madison* and *Monroe*—by the late and present presidents of the United States, and by no one more strongly than vice president *Calhoun*. Now, if we had not exerted our "philosophy" we

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*We cannot separate the *magistrate* from the *editor*. We remember to have heard that a German *prince-bishop*, when accused of profligacy, said that he committed the acts reprehended in his character of a *prince*; but it was asked of him, "when the —— gets the *prince*, where will the *bishop* be?

should say—that the system of the editors of the "Georgia Journal" is the "CONGO SYSTEM;" and that they cannot apprehend any thing worthy of *their* patronage disconnected with the blood and sweat of negro-slaves. But we shall not say that. We merely hint what we *might* say—if disposed to "return railing for railing!"

☞The preceding was written on *Monday*. We have just now [1 o'clock, P. M. *Friday*], for the first time, seen the "Banner of the Constitution," dated Wednesday. Our paper is in the act of *being* made up—which we shall arrest, to say—that a "*possible* continuance" of that paper would be the *last* reason that could suggest itself to us, as a cause for attacking Mr. Raguet. We owe him no sort of ill-will; but, while supporting the industry of the free people of the United States, he is exactly such an opponent as we would desire to have—and our wish is, that the whole force of the other party may be concentrated in himself.

"THE HENRY CLAY." This is the title of a new weekly paper just commenced at Woodstock, Vermont. We regret its *name*, as an evidence of bad taste, and also as tending to forward the progress of certain dispositions to which, as old republicans, we always have been, and ever must be, opposed. We were republicans of the Jeffersonian school, but not *Jefferson* republicans, and would not have it that any should be *Adams* republicans, *Jackson* republicans, or *Clay* republicans. The *school* denotes principles—the simple *names* only men; and we never have seen, nor do we expect ever to see, any *man*, to whom a strong personal party can be safely attached, however apt we are to forget measures in our regard for individuals. If president *Jackson's* proceedings and principles are correct,—the people will support him, for them; if Mr. *Clay's* well-known and long established opinions, on certain great national subjects are preferred, he will be preferred to the presidency that he may bring those opinions into practice. It would be degrading, indeed, to suppose that the success of the principles which operate on the mind of either of these distinguished gentlemen are dependent, for their duration, on the frail tenure of their lives. We greet our brother as a friend of the "American system," and heartily wish him success; but hope that he will change the name of his paper, and give it a wider scope.

LARGE SHIPS. The largest ship (says a late London paper) ever registered, was the Commerce du Marseilles, her tonnage being 2,745 15-94 The tonnage of a 120 gun ship is about 2,600 tons; examples—the Caledonia, of 120 guns, is registered in the king's books at 2,602 15-94, the Nelson, of 120 guns, at 2,601 4 94; and the George IV, of 120 guns, at 2,602 14 94. These four ship are the largest that ever floated.

[The ship under cover at the Philadelphia navy yard, and nearly finished, which might be launched in 60 days if necessary, is larger than either of the above, being about 3,000 tons.]

ERUPTION OF MOUNT ÆTNA. The editors of the New York Journal of Commerce have translated from a Bordeaux paper the following account of the late terrible eruption of Mount Ætna, which occurred about the middle of May. The number of lives lost is not stated, but must have been very great.

The terrible explosion which opened seven craters of the volcano at once, has destroyed eight villages in the neighborhood of the mountain, to which neither the lava nor the fire ever extended before. All the buildings have disappeared under the heaps of calcined stones and burning cinders, which were thrown from these new openings of Ætna. Notwithstanding the frightful detonations which announced beforehand the approach of the catastrophe, the inhabitants of these villages remained quietly in their dwellings, considering themselves safe on account of the distance, which had preserved them in all preceding eruptions, however violent. In the destruction of these villages and the neighboring hamlets, perished a great many victims, both men and animals.

On the 24th of May the consumed edifices were still smoking, and these unhappy places were inaccessible on account of the heat which was given out from the cinders, stones and lava, with which they are covered. It was not until the eighth day after the disaster, that it was possible to approach for the purpose of affording any succor. But the search was entirely useless.—Never was a calamity more terrible, more unexpected, or more general. The shores of Calabria, and some ports of Italy, lying in the current of the wind which blew on that disastrous night, were covered with the same kind of ashes under which the places in the vicinity of Ætna were buried. Sicily will long remember this disaster, which has devastated the richest and most fertile country of the world.

DIED, at Auburn, N. Y. on the 12th inst. the rev. Dr. *John Henry Hobart*, bishop of New York, in the 55th year of his age, and after presiding over the diocess about 18 years, which he had commenced another general visitation of. He was much respected by all classes of society, admired for his talents and loved for his goodness of heart.

—— at Pensacola, on the 27th ult. *Robert M. Rose*, master commandant in the navy of the U. States, and lately commanding the Erie. He entered the navy in 1806, and was 48 years old at the time of his decease. He was a much valued officer, and is warmly spoken of as having been a most worthy man. He died at the residence of com. Elliott, from an enlargement of the brain, after six days illness.

INTERESTING ITEMS.

The age of the chesnut tree, is said to rival that of the oak, while it is not inferior in the durability of its wood. There is a chesnut tree at Tortworth, in Gloucestershire, England, that was known as a boundary mark in the reign of king John. This tree was then believed to be more than 500 years old, making its age at this time, above 1,100 years. The diameter of its trunk is 15 feet, and it still bears fruit.

The consumption of opium, in China, in the year ending 31st of March, 1830, was 14,000 chests, estimated at $12,000,057, value. The stock on hand April 1st, 1830, was 2,712 chests. The consumption of the preceding year, was valued at only 9,000,000 dollars, so that the increase of the last year was 33 1-3 per cent.

The Corsaire, a French paper, says—One of the outposts of the French army at Algiers killed two snakes and a lion, which they sent to the floating restaurant, on the following day. The carte of this restaurant, among other things, contained the following:—filet de lion, sate dans sa glace, matilotte de serpens, boa a la tartare, fraise, de lion a la poulette, pieds de lion, fraise lion, fraise aux petits poise, &c.

It is stated in a New York paper, that women were found by a benevolent enquirer, making duck trowsers at *four cents* a pair, and *cotton shirts at seven cents* a piece!

The pride of the governor of Canton was recently much offended, because that an English agent suggested something that might be mutually advantageous, as he thought, to the two *nations*—China and England! It was not to be endured!—The province of Canton and England, might be associated together—but to class the "celestial empire" with the *provinces* of Great Britain or France, was abominable!

The emigration of Germans and Swiss has been very large the present year. We should suppose that not less than 6 or 8,000 have arrived in the United States. They are a hardy good-looking people—but their national costumes are not agreeable, and the sun-burnt faces, or dark skins of the women (probably accustomed to labor in the fields) are very different, indeed, from the generality of our own.

William J. Hamilton has been appointed chief clerk in the bureau of Indian affairs, in place of col. McKenney, removed.

The votes given to the electors of president and vice president in the state of New York, at the last election, being added up, are said to have stood thus—for Jackson 140,763, Adams 135,413. There was a majority of the whole number of the votes of the state, of about

4,000, against Mr. Van Buren, when chosen governor—but there being three candidates, he was elected.

The state debt of Ohio is now about 5,000,000 dollars, because of the canals.

A collector of militia fines, at Philadelphia, lately presented a *pistol*, to enforce payment—and was soundly kicked for his audacity.

The people of Boston have made great preparations for celebrating the 200th anniversary of the settlement of their city—which happened yesterday, Sept. 17.

The London Atlas has some "wise saws," about a *"young lady of America,"* Miss Frances Wright!—who lately left the United States to return to Great Britain, her own native land.

The Mississippi has fallen 14 inches since the 13th inst. and was yesterday 11 feet 8 inches below high water mark. The weather continues warm and close, with from time to time light showers. After one of the most healthy seasons, so far, within the memory of most of the inhabitants, it is distressing to learn that the disease to which this city is so subject has again made its appearance. Two or three cases of yellow fever have taken place this week; but as there are not many strangers in town, it is hardly probable that its ravages will be very great. [*New Orleans Price Current, Aug.* 21.

Pigeons. Certain pigeons, brought from Antwerp to London, were lately put up on a return voyage, for a handsome premium. There were one hundred and ten of them. One of them flew to Antwerp, 62 leagues in a straight line, in 5*h.* 30*m.* another half a minute after, and several in 6 or 7 hours. The account does not say how many did not arrive at all, if any. The fastest, admitting that the direct course was not deviated from by currents of air, &c. flew at the rate of 34 miles an hour.

A Mr. Durant ascended, in a balloon, from Castle Garden, New York, on the 10th inst. and descended at South Amboy, without accident, or injury to the balloon.

A little girl died in Baltimore last week, from eating some seeds of the Jamestown weed. They are a violent poison.

The Ohio river is lower than it has been for several years.

The steam boat United States, on her way from New York to New-Haven, burst her boiler on Saturday last, by which several persons lost their lives, and as many others were mangled or scalded. None of the passengers, except of those who jumped over-board, were injured.

CONTINUATION OF FRENCH NEWS.

From Paris papers of the 6th August, and London of the 7th.

The details are long and exceedingly interesting. Charles has abdicated the throne of France, as well as his son, in favor of the duke of Bordeaux, his grandson; but the French have now so little regard for the "divine rights" of the Bourbons, as to refuse having a *baby* for their king, and it is highly probable that the duke of Orleans will be invested with the sovereignty, according to the charter, with, perhaps, some small modifications. Our old friend Lafayette has so far fulfilled his best hopes, in preserving much respect for order amidst the bustling events that have lately happened in Paris, and his co-adjutors seem entitled to the highest praise for the firmness and discretion with which they have acted—but the *people* have earned even more glory by their moderation, if it be possible, than by their valor. The result is wonderful, indeed—a complete revolution effected in less than ten days, and extending all over France, and the people settled down into their usual avocations in peace!—the tri-colored flag floats every where in the breeze—the Marseilles hymn is sung in the theatres—liberty is regained, and licentiousness has not followed in its train!

The leading facts will appear in the details below, according to date.

Ordinances of the lieut. general of the kingdom.

"Art. 1. The French nation resumes its colors.—No other cockade shall henceforth be worn than the tri-colored cockade.

"The commissioners charged principally with the several departments of the ministry, shall provide each, as far as he is concerned, for the execution of the present ordinance.

"LOUIS PHILLIPE D'ORLEANS.

"*Paris, Aug.* 1, 1830.

"(Countersigned)

"The commissioner charged provisionally with the war department, "COUNT GERARD.

"No. 2. The chamber of peers and chamber of deputies shall meet on the 3d of Aug. next, in the usual place.

"The five following ordinances appoint the commissioners for the several departments of the ministry, viz:

"War—General Gerard.

"Justice—Dupont de l'Eure.

"Interior—Guizot.

"Finance—Baron Louis.

"Prefect of police—Girod de l'Aim."

The following order of the day has been issued by general Lafayette, on accepting the command of the national guards:

"*August*, 2.

"During the glorious crisis in which the Parisian energy has conquered our rights, every thing still remains provisional: there is nothing definitive but the sovereignty of those national rights, and the eternal remembrance of the glorious work of the people; but amidst the various powers instituted through the necessity of our situation, the re-organization of the national guards is a most necessary defence for the public order, and one which is highly called for. The opinion of the prince exercising the high station of lieutenant general of the kingdom, most honorably to myself, is that I should for the present take that command. In 1790 I refused to accept such an offer, made to me by 3,000,000 of my comrades, as that office would have been a permanent one, and might one day have become a very dangerous one. Now that circumstances are altered, I think it my duty, in order to serve liberty and my country, to accept the station of general commandant of the national guards of France." "LAFAYETTE."

On the 3rd August, commissioners were sent to wait upon the king at Rambouillet, at which were collected all the troops that yet adhered to him. Their number was not very large; but about 60,000 of the national guard rapidly followed the commissioners, "and looked down opposition," under gen. Pajol. The king came to a speedy decision. The following note addressed to the duke of Orleans, was received from the commissioners—

Rambouillet, Aug. 3.

Monseigneur.—It is with joy that we announce the succession. The king has determined to depart with all his family. We shall bring you all the incidents and details of the journey with the greatest precision. May it terminate happily!

We follow the route to Cherbourg. All the troops are directed to march on Epenon. To-morrow morning it will be decided which shall definitely follow the king.—We are, with respect and devotion, your royal highnesses's most humble and most obedient servants, &c.

From the Constitutionnel of Aug. 3.

Paris, Aug. 3. A document conceived in the following terms is spoken of:

"The king, wishing to put an end to the troubles which exist in the capital and a part of France, depending besides, on the sincere attachment of his cousin, the duke of Orleans, nominates him lieutenant general of the kingdom.

"The king, having thought fit to withdraw his ordinances of the 25th July, approves of the meeting of the chambers on the 3d of August, and is willing to hope that they will re-establish tranquillity in France.

"The king will wait here for the return of the person who is commissioned to carry this declaration to Paris.

"If any attempt should be made against the life of the king or of his family, or against their liberty, he will defend himself to death.

"Done at Rambouillet, Aug. 1, 1830.

"CHARLES."

From the Moniteur of Wednesday, Aug 4.

Paris, Aug. 3.—(Official.)—The following act superscribed—"to my cousin the duke of Orleans, lieutenant

general of the kingdom," has been deposited by order of the duke of Orleans in the archives of the chamber of peers.

"*Rambouillet, Aug.* 2, 1830.

"My cousin,—I am too profoundly grieved by the evils which afflict or might threaten my people, not to have sought a means of preventing them. I have therefore taken the resolution to abdicate the crown in favor of my grandson the duke de Bordeaux.

"The dauphin who partakes my sentiments, also renounces his rights in favor of his nephew.

"You will have then in your quality of lieutenant general of the kingdom to cause the accession of Henry V. to the crown to be proclaimed. You will take besides all the measures which concern you to regulate the terms of the government, during the minority of the new king. Here I confine myself to making known these dispositions; it is a means to avoid many evils.

"You will communicate my intention to the diplomatic body, and you will acquaint me as soon as possible with the proclamation by which my grandson shall have been recognized king of France, under the name of Henry V.

"I charge lieutenant general viscount de Foissac Latour to deliver this letter to you. He has orders to settle with you the arrangements to be made in favor of the persons who have accompanied me, as well as the arrangements necessary for what concerns me and the rest of my family.

"We will afterwards regulate the other measures which will be the consequence of the change of the reign.

"I repeat to you, my cousin, the assurances of the sentiments with which I am your affectionate cousin,

"CHARLES.

"LOUIS ANTOINE."

Opening of the chambers, Aug. 2.

SPEECH OF THE LIEUT. GENERAL OF THE KINGDOM.

"Peers and deputies—Paris, troubled in its repose by a deplorable violation of the charter, and of the laws, defended them with heroic courage! in the midst of this sanguinary struggle, all the guarantees of social order no longer subsisted. Persons, property, rights—every thing that is most valuable and dear to men and to citizens, was exposed to the most serious dangers.

"In this absence of all public power, the wishes of my fellow citizens turned towards me; they have judged me worthy to concur with them in the salvation of the country; they have invited me to exercise the functions of lieutenant general of the kingdom.

"Their cause appeared to me to be just, the dangers immense, the necessity imperative, my duty sacred. I hastened to the midst of this valiant people, followed by my family, and wearing those colors which, for the second time, have marked among us the triumph of liberty.

"I have come firmly resolved to devote myself to all that circumstances should require of me in the situation in which they have placed me, to re-establish the empire of the laws, to save liberty which was threatened, and render impossible the return of such great evils, by securing forever the power of that charter, whose name, invoked during the combat, was also appealed to after the victory. [applauses.]

"In the accomplishment of this noble task, it is for the chamber to guide me. All rights must be solemnly guaranteed; all the institutions necessary to their full and free exercise must receive the developements of which they have need. Attached by inclination and conviction to the principles of a free government, I accept beforehand all the consequences of it. I think it my duty immediately to call your attention to the organization of the national guards; to the application of the jury to the crimes of the press; the formation of the departmental and municipal administration, and, above all, to that 14th article of the charter, which has been so hatefully interpreted.—[fresh applauses.]

"It is with these sentiments, gentlemen, that I come to open this session.

"The past is painful to me. I deplore misfortunes which I wished to prevent, but in the midst of this magnanimous transport of the capital, and of all the other French cities, at the sight of order reviving with marvellous promptness, after a resistance free from all excesses, a just national pride moves my heart, and I look forward with confidence to the future destiny of the country.

Yes, gentlemen, France, which is so dear to us, will be happy and free; it will show to England that, solely engaged with its internal prosperity, it loves peace as well as liberty, and desirses only the happiness and the repose of its neighbors.

"Respect for all rights, care for all interests, good faith in the government, are the best means to disarm parties, and to bring back to peoples' minds that confidence—to the institutions that stability—which are the only certain pledges of the happiness of the people and the strength of states.

"Peers and deputies,—As soon as the chambers shall be constituted I shall have laid before you the acts of abdication of his majesty king Charles X. By the same act his royal highness Louis Antoine de France, also renounces his rights. This act was placed in my hands yesterday, the 2d of Aug. at 11 o'clock at night. I have this morning ordered it to be deposited in the archives of the chamber of peers; and I cause it to be inserted in the official part of the Moniteur."

The cries "vive d'Orleans!" "vive la liberte!" were again heard more loudly than before. The prince appeared to be deeply affected; he saluted the assembly several times, and withdrew with his son, attended by the great deputation, which conducted him back to the door.

M. Lafitte advanced towards the centre of the assembly, and said, "I think, gentlemen, that we ought to separate to-day, to meet again to-morrow, at noon."

Numerous voices—"Yes, to-morrow at noon! to-morrow! to-morrow!"

Other voices—"To-day! to-day!" "The bureaux might be formed."

M. Salverte—"Where is our president by seniority?"

M. Dupin the elder—"M. Chillaud de la Rigaudie is not here; but we have M. Labbey de Pompiere."

Several voices—"Till to-morrow for the bureaux, till to-morrow!"

The assembly broke up and left the hall. The immense crowd which surrounded the palace filled the air with the loudest acclamations. The national guard, in their best uniforms, alone lined the way, but it seemed to have come rather to take part in a fete, than to maintain order, for nobody seemed to think of disturbing it. At the slightest injunction of a citizen soldier, the groups dispersed as if by enchantment to make room for the deputies.

Miscellaneous matters.

It is supposed that the whole loss of life in the French revolution amounts to about 10,000. Another account reduces the number to 5,000.

The American ships Great Britain and Charles Carroll, at Havre, had been chartered for the conveyance of king Charles and his suite to foreign parts—supposed the United States. It is said that he had demanded an annual income of 4 millions of francs, or about 800,000 dollars—he had also demanded a million in hand, to meet immediate expenses, which latter was directly paid to him in gold. All the princes and princesses of his house were with him. He had given up the crown and crown jewels. *The latest account says that he had made an unconditional abdication*—which a sound policy would seem to dictate, in his circumstances.

If Charles shall come to the United States, and conducts himself as well, he may have all that peaceful security and personal respect which attaches to Mr. Joseph Bonaparte, ex-king of Spain—or young Murat, son of the ex-king of Naples, which latter being a citizen, is a postmaster at a little town in Florida. If his ex-highness, the dey of Algiers, shall also seek an asylum among us—there is room enough for him.

Charles had left Rambouillet for Cherbourg, and was in much haste to embark. He was accompanied by a commission to give him "safe conduct."

The duchess of Angouleme reached Rambouillet in a hackney coach, disguised in the garb of a peasant's wife.

The *National* says—The dreams of a few peers and congregationists to cause that little duke of Bordeaux to

be proclaimed on the strength of the abdication of Charles X. and of the dauphin, are mere illusions; public opinion has resumed its empire, and cannot retrograde at present, as far as the doctrines of divine rights. It is for a prince, but a prince chosen by the nation.

"The last ordinance which Charles X. signed at St. Cloud was for the abolition of the Polytechnic schools."

On the 3d Aug. the duke d'Angouleme read at Maintenon, in presence of the troops who accompanied him, a proclamation, announcing to the army that it was disbanded. The commanders of corps in all parts of the country are preparing to make their submission to the prince lieutenant general.

The people appear to have resumed their power in all parts of France. Military bodies of citizens were organizing every where—but there did not appear any present necessity for them. The disturbances that took place were very slight—but generally the tri-color was raised as a matter of course.

It is affirmed that general Clausel is appointed commander-in-chief of the army in Africa.

A Paris paper of Aug. 2, says—"It seems certain that the ambassadors of foreign powers now at Paris have already given to the duke of Orleans, in the name of their respective sovereigns, the assurance of the most friendly dispositions.

"The English ambassador is said to have been the first. Not only the English nation, but also the English cabinet, had well judged the true situation of affairs in France, as well as the infallible consequences of the criminal acts of the ministers."

George Washington Lafayette took an important part in the business of the revolution.

The duke de Chartres, eldest son of the lieut. general of the kingdom, arrived at Paris on the 4th Aug. at the head of his regiment, and was warmly received by the people.

A commission, of which Mr. Lafitte is president, has been instituted to provide for and take care of the finances.

The Swiss guards at Orleans grounded arms. The troops that had collected near the king, all submitted, and received the tri-colored cockade.

A London paper of Aug. 6, says—The general opinion in the political circles in this country is that our government will, as soon as affairs are at all settled in Paris, acknowledge the authority of the duke of Orleans and the provisional government appointed by the voice of the people. It is asserted that his majesty has personally expressed a decided intention not to interfere with the intestine quarrels of that country—an example that will probably be followed by Europe generally. All the foreign ambassadors, with the exception of the Austrian ambassador, who is gone to Dieppe on account of ill health, have remained in Paris, and the best feeling appears to exist between them and the present government.

A great number of old soldiers had arrived at Paris—and the roads were crowded with them and other auxiliaries. It would seem that 3 or 400,000 men were ready, *at once*, to support the measures adopted in favor of liberty! It has been well said that the "grand army was dispersed, not destroyed." The *tri-colored* flag rallied them all.

The French have established a press at Algiers!

The duke of Orleans had subscribed 100,000 francs for the relief of those who suffered during the three days of revolution in Paris. The baron J. de Rothschild gave 15,000.

Five millions had arrived at Toulon from Algiers—in good time: the authority being in the hands of the liberals—or citizens.

The 5 per cent. stocks at Paris were at 103½ the best possible evidence of a belief in the stability of the new order of things.

Bordeaux is regarded as one of the most *loyal* places in France—But even here the troops of the line joined the citizens, and the other soldiers were immediately disarmed, without bloodshed. The prefect was foolish enough to stand out—and his life was hardly saved by the interference of some of his political opponents, the respectable classes of society joined the multitude.

Many foreigners distinguished themselves in the revolution—fighting like lions.

A serious misunderstanding has taken place between gen. Bourmont and admiral Duperre. It is no matter, the revolution ended them. Bourmont has been *retired*.

We have numerous particulars of the exploits of the "old ones" as the old soldiers are kindly called; many of them, 60 years of age, inflamed by the *tri-color*, seized arms and used them with dreadful effect.

The dutchess of Berri was expected at Dieppe. She is said to have offended the king by her remonstrances against his proceedings—but this may be only a trick of the *worshippers* of the Bourbons.

M. de Briconeville, deputy of la Manche, who was confined to his bed by severe illness, has travelled ninety leagues in order that he may be at his post as deputy in Paris.

Madame de Polignac, passing through Versailles, was recognized and at first stopped, but permitted to proceed on her journey. "Proceed, madame," they said to her, "but let his excellency take care."

A letter writer from Paris says—While speaking of the youth of Paris, allow me to add one instance of their bravery and sense of honor. On Wednesday last the lancers were marching down the Rue Richelieu (now Rue de la Loi.) A boy of 12 years was walking at their head. "Get away, you brat," said the colonel. "Brat" said the precocious patriot; "brat! I'll show you what a brat is;" and, drawing a pistol from his breast, shot the colonel through the heart.

English news.

Mr. Brougham is returned to parliament for Yorkshire, Mr. Hume for Middlesex, and Mr. O'Connell is sure of Waterford. In one day the first named gentlemen travelled one hundred miles and made eight speeches.

A traveller, arrived at Liverpool from London, states that the first report of the ordinance of the 25th of July was attributed to a manœuvre of the speculators in the public funds. What is certain is, that on Wednesday, the day when king William reviewed the troops, and when the first intimation of the news was made to him, his majesty refused to believe it, as being too absurd.—The *Moniteur* was, however, afterwards handed to him, on which he cried out with the characteristic bluntness of a sailor, "They are all mad." [What a *magnificent* speech! But the French had "much method in their madness."]

Later accounts—London papers of Aug. 7.

The French stocks remained steady. Prince Polignac has escaped to Brussels. A seminary of priests at St. Acheul is said to have been destroyed by the people. Several vessels, American and English, were departing for France, for the transportation of persons wishing to emigrate. The archbishop of Rheims, Charles' confessor, has arrived in England.

The London *Court Journal* says—We are able to state from authority, that the British ambassador in Paris has received from the duke of Orleans the strongest assurances of his desire to maintain friendly relations with this country, whatever may be the conduct of other countries.

CHARTER OF FRANCE,

Taken from the volume of the five codes, and translated for the New York American.

CONSITUTIONAL CHARTER.

Louis, by the grace of God, king of France and Navarre. To all who shall see these presents, greeting:

Whereas, &c. &c. [Here is a long recital of the causes which induce the king to grant the charter,] therefore, we have voluntarily, and, by the free exercise of our royal authority, granted, and do grant, make concession, and *octroi*, to our subjects, as well for ourselves as our successors, and forever, of the following constitutional charter:—

Public rights of the French.

Article 1. Frenchmen are equal before the law, whatever otherwise be their rank or title.

2. They contribute, without distinction, in proportion to their fortune, to the public charges.

3. They are all alike admissible to civil and military employments.

4. Individual liberty is equally guarantied: no one can be either pursued or arrested, except in cases aforeseen by the law, and in the forms which it prescribes.

5. Every one is at liberty to profess his own religion; and the same protection is assured to each form of worship.

6. Nevertheless, the Catholic, Apostolical, and Roman religion, is the religion of the state.

7. Ministers of the Catholic, Apostolic, and Roman religion, and that of other Christian denominations, alone receive salaries from the royal treasury.

8. Frenchmen have the right to publish and print their opinions, in conforming to the laws for regulating the abuse of this liberty.

9. All property is inviolable, without any exception of that called *national*, the law not acknowledging any distinction between them.

10. The state may exact the sacrifice of any particular piece of property, if the public interest, duly established, shall require it, but only on a previous indemnication.

11. All scrutiny as to votes or opinions, uttered previous to the restoration, is forbidden. A like oblivion is prescribed both to tribunals and citizens.

12. The conscription is abolished; the mode of recruiting the sea and land forces is determined by law.

Form of the king's government.

13. The person of the king is inviolable and sacred.—His ministers are responsible. To the king alone belongs the executive power.

14. The king is the supreme head of the state, commands the army and navy, declares war, makes treaties of peace, alliance, and commerce; appoints to office, and makes the rules and ordinances necessary for the execution of the laws and the safety of the state.

15. The legislative power is vested collectively in the king, the house of peers, and the house of deputies.

16. The king proposes all laws.

17. The proposal of a law is made at the pleasure of the king, to the house of peers, or that of deputies, except laws for laying and collecting taxes, which must be first addressed to the house of deputies.

18. Every law is to be freely discussed, and voted by a majority of each chamber.

19. The chambers have the faculty of supplicating the king to propose laws upon any given subject, and to point out what it appears to them fitting, that such laws should contain.

20. Such a request may be made by either of the chambers, after having been discussed in secret committee: it can only be sent to the other chamber by that proposing it, after an interval of ten days.

21. If the proposition is adopted by the other chamber, it shall be submitted to the king; if it is rejected, it cannot be produced in the same session.

22. The king alone sanctions and promulgates the laws.

23. The civil list is fixed for the whole reign by the first legislature assembled after the accession of the king.

Of the house of peers.

24. The house of peers is an essential part of the legislative power.

25. It is convened by the king at the same time with the house of deputies. The session of each begins and finishes at the same time.

26. Any meeting of the house of peers, held at any time when the deputies are not in session, or which should not be ordered by the king, is unlawful and void.

27. The nomination of peers of France belongs to the king. Their number is unlimited. He may vary their dignities, name them for life, or make them hereditary according to his pleasure.

28. Peers are entitled to their seats at 25, but cannot vote before thirty.

29. The house of peers has for its presiding officer the chancellor of France, and, in his absence, some peer named by the king.

30. The members of the royal family and princes of the blood, are peers in right of their birth. They take rank immediately after the president, but have no vote till twenty-five.

31. The princes can only take their seats by an order of the king, expressed at each session by a message, under pain of nullity to every thing transacted during their presence.

32. The deliberations of the peers are all secret.

33. The house of peers takes cognizance of the crime of high treason and attempts against the safety of the state, as they shall be defined by law.

34. No peer can be arrested except by the authority of the house, and its judges its members in all criminal matters.

Of the chamber of deputies of departments.

35. This chamber shall be composed of deputies elected by the electoral colleges. The organization of them shall be determined by law.

36. Each department shall have the same number of deputies it has had till now.

37. The deputies shall be elected for five years, and in such manner that the chamber shall be renewed by one-fifth annually.

38. No one can be admitted as a deputy, who is not forty years old, and does not pay a direct tax of one thousand francs.

39. In case, however, that there should not be in a department fifty persons of the requisite age and paying the prescribed tax, that number shall be made up out of those paying the nearest to one thousand francs, and the person thus selected shall be alike eligible with the others.

40. Electors of deputies must pay a direct tax of three hundred francs, and have attained thirty years of age.

41. Presidents of electoral colleges are named by the king, and become of right members of the college.

42. One-half, at least, of the deputies must be chosen from among those whose political domicil is in the department.

43. The president of the chamber of deputies is designated by the king from a list of five members presented by the chamber.

44. The sessions of the chamber are public, but upon the demand of five members the doors may be closed.

45. The chamber will divide itself into committees *(bureaux)* to discuss the projects of laws presented by the king.

46. No amendment can be made to a law, unless proposed or consented to by the king, nor until it has been referred and discussed in committee.

47. The chamber of deputies receives all propositons respecting taxes; and it is only when such propositions have been adopted by the chamber, that they can be sent to the peers.

48. No tax can be imposed nor collected, unless consented to by the chambers and sanctioned by the king.

49. The land tax is only voted for one year; and indirect taxes may be voted for several years.

50. The king convenes the two chambers every year; he prorogues them, and may dissolve the chamber of deputies; but, in this case, he must convene a new one in the space of three months.

51. No member can be imprisioned during the session; dor during the six weeks preceding and following it.

52. No member can, during the session, be prosecuted, nor arrested on any criminal charge, except when taken *flagrante delicto*, without the permission of the chamber.

53. Petitions to either house can only be made and presented in writing; the law forbids any one from bringing a petition in person to the bar.

Our ministers.

54. Ministers may be members of either house: they have, moreover, the right of entry to each house, and are to be heard when they require.

55. The chamber of deputies has the right of accusing ministers, and of arraigning them before the house of peers, who alone have the right of judging them.

56. They can only be accused of treason or peculation. Special laws will particularize the nature of these offences, and will determine how they are to be prosecuted.

Of the judiciary.

Art. 57. All justice is derived from the king, and is administered in his name by judges whom he appoints.

58. The judges appointed by the king are not removable.

59. The courts and ordinary tribunals now existing are maintained. Nothing shall be changed with respect to them but by virtue of a law.

60. The existing institution of judges of commerce is preserved.

61. That justices of the peace, is in like manner preserved. Justices of the peace, though appointed by the king, are not irremovable.

62. No one can be withdrawn from his natural judges.

63. Consequently no commissions nor extraordinary tribunals can be created. Prevotal courts, if their re-establishment is deemed necessary, are not included in this prohibition.

64. The discussions in criminal proceedings shall be public, except when such publicity may be dangerous to order and good morals; in which case the court shall so pronounce.

65. The institution of the jury is preserved. Such changes as experience may suggest can only be made in virtue of a law.

66. The punishment of confiscating property is abolished, and cannot be re-established.

67. The king has the right to pardon, and to commute punishments.

68. The civil code and laws now in use, which are not contrary to the present charter, shall remain in force until legally altered and repealed.

Private rights guarantied by the state.

69. The military in actual service, officers and soldiers on half pay, widows, officers and soldiers pensioned, shall preserve their grades, honors and pensions.

70. The public debt is guarantied. Every engagement of the state with its creditors is inviolable.

71. The old noblesse resumes its titles, the new preserves it. The king creates nobles at pleasure; but he only grants them rank and honor, without any exemption from the burthens or duties as members of society.

72. The legion of honor is preserved. The king will determine its regulations and its decorations.

73. The colonies shall be governed by special laws and regulations.

74. The king and his successors shall swear in the solemnity of their consecration faithfully to observe the present constitutional charter.

Given at Paris, in the year of grace 1814, and of our reign the 19th. (Signed) LOUIS.

The chancellor of France, DAMBRAY.

The secretary of state, L'ABBE DE MONTESQUIEU.

INDIAN AFFAIRS.

From the Nashville Republican, (Sept. 1st.)

THE INDIANS.—Information from Franklin, which may be relied on, gives assurance that there is every prospect of the conclusion of a treaty with the Chickasaw nation, a delegation from which has been at Franklin since the 20th ult. On Friday evening last the president left them, having confided the negociation and arrangement of the treaty to the secretary of war and gen. Coffee. The president, we understand, will depart for Washington this week. Before leaving Franklin, he was informed through the agent, that his Chickasaw friends desired to see and bid him farewell previous to his departure. In half an hour after, he met them at the Masonic Hall, where being surrounded by the chiefs, a most interesting interview took place amidst a crowd of persons who were present to witness it.

The president, with the secretary of war and general Coffee having arrived, took their position within the centre of a square occupied by the chiefs. Having shaken hands with him, one of them handed a paper to major Eaton, which they requested him to read to their great father.—It was as follows:

Franklin, Ten. August 27, 1830.

To our great father the president.

Your red children, the chiefs and head men of the Chickasaws, have had under consideration the talk of our father, and also the talk delivered to us by the commissioners, major Eaton and gen. Coffee.

The subject submitted for our consideration is to us of great importance. On the decision we this day make and declare to you and the world, depends our fate as a nation and as a people.

Father, you say that you have travelled a long way to talk to your red children. We have listened—and your words have sunk deep into our hearts. As you are about to set out for Washington city—before we shake our father's hand, perhaps with many of us for the last time—we have requested this meeting, to tell you, that after sleeping upon the talk you sent us, and the talk delivered to us by our brothers, major Eaton and gen. Coffee, we are now ready to enter into any treaty based upon the principles communicated to us by major Eaton and gen. Coffee. Your friends and brothers.

(Signed, &c.)

The president promptly replied,—he told them of the great pleasure and satisfaction he had enjoyed in seeing them. Some of them had been long known to him, and he assured them that their long continued friendship had not been, and would not be, interrupted. He was about, he said, to separate from them to return to his public duties at Washington, and might meet them no more; but his earnest hope was, that the Great Spirit above would take care of, bless, and preserve them. He then rose and bade them an affectionate farewell. One of the principal chiefs rushed forward, and grasping him with both hands, exclaimed, "God bless you, my great father," and overcome by his feelings turned away. The president and chiefs were much affected, and the whole house manifested a sensible and lively emotion at the interesting interview, and separation of this distinguished man from our red brothers. It was indeed a scene of the deepest interest, to see these hoary chiefs—untutored sons of the forest—about to separate from a man so long known to them, and by them so much beloved;—under circumstances, too, which brought to their minds, that they were about to leave the land of their youth, where the bones of their fathers reposed.—The conflicting emotions, brought upon them by their attachment to home, and a recollection on the other hand, that under the laws of the white man they could not be contented and happy, were clearly visible, and did not fail to inspire a generous sensibility in every bosom. These incidents, however, prove, that nothing of compulsion, or even resembling it, has been, on this occasion, resorted to. The result has been a voluntary determination, by the Indians, under existing circumstances, to remove, because they find it impossible to live under the laws of the state which claims jurisdiction over them.

TALK OF THE PRESIDENT OF THE UNITED STATES,

Through the secretary of war and gen. Coffee, to the Chickasaw delegation, at Franklin, Ten. on the 23d August, 1830.

FRIENDS AND BROTHERS:—Your great father is rejoiced once again to meet, and shake you by the hand, and to have it in his power to assure you of his continued friendship and good will. He can cherish none but the best feelings for his red children, many of whom, during our late war, fought with him in defence of our country.

By a communication from your elder brethren and neighbors, the Choctaws, during the last winter, your great father learned that in consequence of the laws of Mississippi being extended over them, they were in great alarm, and of their own free will, and without any application from him, they asked to leave their country and retire across the Mississippi river. The treaty sent by them to him, was laid before the senate of the United States, and they refused to approve it. Solicitous to avoid every act, the tendency of which might be to deceive or impose upon his red children, he laid the treaty, which was presented him, before the senate, with the protest which had been forwarded against it by the opposite party of the Choctaw nation, that all the circumstances might be fully known;—it was rejected. Of these things, their confidential agent, major Haly, was advised, and was requested to make them known to the Choctaws. Understanding from him that they were desirous to see and converse with their great father, on this important subject, he agreed, in accordance with that desire, to meet them at this place. With regret he now learns they have declined their engagement.

By an act of congress it was placed in his power to extend justice to the Indians—to pay the expenses of their removal—to support them for twelve months, and

to give them a grant for lands which should endure "as long as the grass grows or water runs." A determination was taken immediately to advise his red children of the means which were thus placed at his disposal to render them happy and preserve them as nations. It was for this, that he asked his Chickasaw and other friends to meet him here. You have come, and your great father rejoices to tell you, through his commissioners, the truth, and point you to a course which cannot fail to make you a happy and prosperous people. Hear and deliberate well on what he shall say, and under the exercise of your own reason and matured judgment, determine what may appear to you best to be done for the benefit of yourselves and your children.

Brothers:—You have long dwelt upon the soil you occupy, and in early times before the white man kindled his fires too near to yours, and by settling around, narrowed down the limits of the chase, you were though uninstructed, yet a happy people. Now your white brothers are around you. States have been erected within your ancient limits, which claim a right to govern and control your people as they do their own citizens, and to make them answerable to their civil and criminal codes. Your great father has not the authority to prevent this state of things; and he now asks if you are prepared and ready to submit yourselves to the laws of Mississippi, make a surrender of your ancient laws and customs, and peaceably and quietly live under those of the white man?

Brothers, listen:—The laws to which you must be subjected, are not oppressive, for they are those to which your white brothers conform and are happy. Under them, you will not be permitted to seek private revenge, but in all cases where wrong may be done, you are through them to seek redress. No taxes upon your property or yourselves, except such as may be imposed upon a white brother, will be assessed against you. The courts will be open for the address of wrongs; and bad men will be made answerable for whatever crimes or misdemeanors may be committed by any of your people, or our own.

Brothers, listen:—To these laws, where you are, you must submit;—there is no preventive—no other alternative. Your great father cannot, nor can congress, prevent it. The states only can. What then? Do you believe that you can live under those laws? That you can surrender all your ancient habits, and the forms by which you have been so long controlled? If so, your great father has nothing to say or to advise. He has only to express a hope, that you may find happiness in the determination you shall make, whatever it may be. His earnest desire is, that you may be perpetuated and preserved as a nation; and this he believes can only be done and secured by your consent to remove to a country beyond the Mississippi, which for the happiness of our red friends was laid out by the government a long time since, and to which it was expected, ere this, they would have gone. Where you are, it is not possible you can live contented and happy. Besides the laws of Mississippi which must operate upon you, and which your great father cannot prevent, white men continually intruding are with difficulty kept off your lands, and difficulties continue to increase around you.

Brothers:—The law of congress usually called the "intercourse act" has been resorted to, to afford relief, but in many instances has failed of success. Our white population has so extended around in every direction, that difficulties and troubles are to be expected. Cannot this state of things be prevented? Your firm determination can only do it.

Brothers, listen:—This is no unkindness in the offers made to you. No intention or wish is had to force you from your lands, but rather to intimate to you what is for your own interest. The attachment you feel for the soil which covers the bones of your ancestors is well known. Our forefathers had the same feeling when a long time ago, to obtain happiness, they left their lands, beyond the great waters, and sought a new and quiet home in distant and unexplored regions. If they had not done so where would have been their children and the prosperity they now enjoy?—The old world would have scarcely afforded support, for a people, who, by the change their fathers made, have become prosperous and happy.—In future time so will it be with your children.—Old men! Arouse to energy and lead your children to a land of promise and of peace before the Great Spirit shall call you to die. Young chiefs! Forget the prejudices you feel for the soil of your birth, and go to a land where you can preserve your people as a nation. Peace invites you there—annoyance will be left behind—within your limits no state or territorial authority will be permitted. Intruders, traders, and above all, ardent spirits so destructive to health and morals, will be kept from among you, only as the laws and ordinances of your nation may sanction their admission And that the weak may not be assailed by their stronger and more powerful neighbors, care shall be taken and stipulations made, that the United States, by arms, if necessary, will preserve and maintain peace amongst the tribes, and guard them from the assaults of enemies of every kind, whether white or red.

Brothers, listen:—These things are for your serious consideration, and it behoves you well to think of them. The present is the time you are asked to do so. Reject the opportunity which is now offered to obtain comfortable homes, and the time may soon pass away when such advantages as are now within your reach may not again be presented. If from the course you now pursue this shall be the case; than call not upon your great father hereafter to relieve you of your troubles, but make up your minds conclusively to remain upon the lands you occupy, and be subject to the laws of the state where you now reside to the same extent that her own citizens are. In a few years by becoming amalgamated with the whites, your national character will be lost, and then like other tribes who have gone before you, you must disappear and be forgotten.

Brothers:—If you are disposed to remove, say so, and state the terms you may consider just and equitable. Your great father is ready, and has instructed his commissioners to admit such as shall be considered liberal, to the extent that he can calculate the senate of the United States will sanction. Terms of any other character it would be useless for you to insist upon, as without their consent and approval no arrangement to be made could prove effectual. Should you determine to remain where you are, candidly say so, and let us be done with the subject, no more to be talked of again. But if disposed to consult your true interest and to remove, then present the terms on which you are willing to do so, to my friends, the secretary of war and gen. John Coffee, who are authorized to confer with you, and who in the arrangements to be made, will act candidly, fairly and liberally towards you. ANDREW JACKSON.

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The Choctaws.—We understand from good authority that the president of the United States, at the request of the Indians has appointed the 15th day of September to open a negotiation with the Choctaw nation at *Dancing Rabbit creek*, near the agency. Gen. Coffee and his excellency gov. Carroll, we understand, have been appointed commissioners on the part of the U. States.—The secretary of war, it is also said, will be present on the occasion to assist in forming a treaty. We are glad to hear this, as he must be better informed of the views and policy of the executive, than any other individual, however well qualified and capable, could be.

CHEROKEE LANDS.

MORE OPPUGNATION OR NULLIFICATION.

From the Georgia Journal, of Aug. 21.

☞We call the reader's attention specially to a well written article in this paper, signed "*Hancock.*" It presents for the consideration of the people of Georgia, a question of the very first importance.

If a suggestion from us be of any consequence, we would say that this affair of the Indian lands has reached a crisis, in which it is incumbent on Georgia to act on her own responsibility. We have never believed that the bill passed at the last session of congress would do any good; or that the president would be able to carry its provisions into effect; though we have been perfectly willing to see the effort made, recommending forbearance and patience in the mean time, because such an effort on the part of the general government, and such a course on our part, we thought would greatly strengthen our

cause. Now, that the measures of the general government have resulted in failure, as we believed they would, we say again, that Georgia must act on her own responsibility.

We are the more solicitous that Georgia should thus act because we wish to see whether the *horn flint and wooden nutmeg gentry* will dare to carry into execution their threats of aiding the Indians, in their resistance to the measures of Georgia. (*Ed. Journal.*

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The position which Georgia now occupies, in relation to her lands in the occupancy of the Cherokee Indians, demands of her people, deep, calm, and mature reflection.

She is called upon to decide one of the most interesting questions which has been presented for her consideration, since her organization as a state; and she has now to determine whether she will relinquish her claim to the territory forever, or whether she will assert her rights, and exert her energies to maintain them.

The object of this essay, is to awaken a spirit of enquiry among the people, upon this all absorbing question, that by a free interchange of opinion, and a general expression of the public sentiment, the members of the next legislature may fully understand the course which their constituents expect them to pursue.

The subject considered in all its bearings, presents a wide field for speculation, which my fancy has no inclination to explore, it being my purpose to take a short view, of the question, as it presents itself to my understanding, upon plain common sense, matter of fact principles. In 1802 by a solemn compact entered into between the state of Georgia and the United States, it was agreed on the part of the United States, for a valuable consideration then paid in advance, that they would remove from the territory of Georgia, all the Indians then residing within her limits, whenever it could be done peaceably, and upon reasonable terms. This obligation was indefinite as to time, but the state confiding in the integrity and good faith of the general government, did believe that the pledge would be redeemed as soon as it was practicable. In that reasonable expectation she has been wholly disappointed—the general government seems to have forgotten their obligation; year after year, has passed away without an effort; one administration has left its fulfilment to another, until there grew up under the administration of Mr. Adams, a settled purpose of fastening the Indians upon us forever. Thus stood the question when gen. Jackson came into office. But although he came fully impressed with the justice of our demands, and although he has made great efforts to bring the matter to a final and satisfactory issue, yet, he came too late to save the sinking character of his government from the odium of committing an act of gross injustice to a member of the union.

The abortive attempt recently made by gen. Jackson to remove the Indians from our territory, throws us back upon our own resources; and their insolent reply that they would never cede another foot of land for the use of Georgia, demands the united efforts of our people in vindication of their rights.

The time fellow citizens, for temporizing has gone by, and the day of action has arrived. It is time to turn away from the counsels of timid friends, and to defy the threats of hypocritical and jesuitical enemies. It is time to be up and doing. You must determine the question. Are you willing to give up the ship? or are you prepared to instruct your representatives to pass laws to remove every white man, at short notice and under severe penalties, who shall be found upon the territory, and to survey and dispose of the land without further delay?—As one citizen of Georgia, I am not prepared to give it up—I should go for the territory, the whole territory, and nothing but the territory. Give the people the land, for in the language of a great man, "men and soil constitute the strength and wealth of nations, and the faster you plant the men, the sooner you may draw upon both."

HANCOCK.

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From the same of Aug. 28.

MR. WIRT AND THE CHEROKEES.

Since the article on Indian affairs in another part of our paper, was arranged, we have seen it stated in the public prints that John Ross was on his way to visit *judge Johnson* of the United States court, and that if any encouragement is received from him, *judge Marshall* is next to be visited.

This matter is rapidly approaching its final result. As one of the important incidents connected with it, we call the attention of the reader to the correspondence between *Mr. Wirt* and *gov. Gilmer*, published in this paper. They cannot be otherwise than highly gratified with the manner in which the gross indignity offered to their state, has been repelled by their chief magistrate.—Has it come to this, that a sovereign and independent state is to be insulted, by being asked to become a party, before the supreme court, with a few savages, residing on her own territory!!!—Unparalleled impudence.

As we suggest in another part of this paper, we verily expect that the next movement will be an attempt on the part of the Cherokee nation to extend the Indian laws over the people of Georgia. We will hereafter be surprized at nothing that may occur in that quarter. The Indians will find plenty of backers in the other states, in a project of this sort.

In connection with this subject we intended to publish in this paper, *judge Clayton's* charge to the grand jury of Clarke county; but to enable us to dispose of judge *Wayne's* speech at once, we were compelled, very reluctantly, to postpone the publication of the charge 'till next week.

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Mr. Wirt to gov. Gilmer.

Baltimore, June 4th, 1830.

Sir—A just respect for the state of Georgia, and a desire to avoid a misconstruction which might be attended with evil consequences, seem to me to call for a communication which, under other circumstances, might well be deemed officious and intrusive. The excitement with regard to the Indians within your borders is already so high, and, in this state of feeling, measures of the most innocent character are so easily misapprehended and converted into causes of offence, that I persuade myself your excellency will at least approve the motive of this letter as a measure of peace.

The Cherokee nation have consulted me, professionally, as to their rights under their various treaties with the United States. Among other questions they have asked me whether, under the federal constitution, laws and treaties, the state of Georgia has the right to extend her laws, compulsively, into their nation; and whether this question can or cannot be carried for decision to the supreme court of the United States? I am fully aware of the serious import of these questions, and regret exceedingly that they have arisen. I foresee distinctly the disastrous consequences which may be made to flow from giving the controversy this direction: and yet if it be met and conducted with proper temper, as I trust it will, it is quite as apparent that it may prove the means of peace and reconciliation. I have not sought this consultation. It has been cast upon me in the common and regular practice of my profession; and according to my understanding of my professional duties, I am not at liberty to refuse either my advice or services to any one who comes to consult me on his legal rights, and who has nothing more in view than the assertion of those rights according to the course of the laws of the land.

It is my misfortune to differ with the constituted authorities of the state of Georgia, on the question of her power to extend her laws into the Cherokee nation; and the late debates in congress will have satisfied your excellency that in this opinion I am not singular, but that I hold it in common with many of the most distinguished lawyers on our continent.—We may be wrong: and, as infallibility is not the lot of mortals, those who hold the opposite opinion may possibly be wrong. Fortunately there exists a tribunal before which this difference of opinion may be quietly and peaceably settled, and to this tribunal I think it may be regularly referred. I perceive that in the debates to which I have alluded, a mistaken humanity has been supposed to warp the judgment on one side of this question, and interest on the other. In the supreme court of the United States, we shall find a tribunal as impartial and as enlightened as can be expected on this earth; or if partiality can be supposed to find its way into that high tribunal, on any occasion, it is not on such a one as this, that the Cherokee nation have a right

to expect it in their favor. *To them* the courts of the United States are *foreign courts*, while they are the *domestic tribunals* of the states of the union.

I have told these people that I am willing to assist them in bringing their rights, for final decision, before the supreme court of the United States, on the condition that they conduct themselves peaceably towards the people of Georgia, and of the U. States, and that they make the question purely a question of law for our courts; but that I will abandon them and their cause on the first aggression by violence on the white people around them which shall be authorized by their nation. It is but justice to add that, in those of the nation who have been with me, and who compose the delegation that have been at Washington through the winter, I have not discovered the slighest disposition to violence. They are civilized and well informed men—they wear our dress—speak our language correctly—and in their manners indicate all the mildness and much of the culture and courtesy of our own best circles. They assure me that their people at home have abandoned the habits of savage life and subsist by agriculture and the other usual and peaceful pursuits of civilized societies. They profess, and I believe, with entire sincerity, to be willing to make the questions of their rights under their treaties, questions of pure law, for the decision of our own courts; and as I perceive by the reported debate in congress that a measure of this sort has been anticipated, and that one of your enlightened senators in that body expressed a strong and, without doubt, a sincere conviction that the decision of the judiciary would, if it should ever be asked, be in favor of the right of the state to legislate over the Cherokee nation, I cannot but indulge the hope, that in proposing to bring this question before the supreme court, I shall have advised a measure rather pleasing than otherwise, to the state of Georgia.

Be this as it may, I cannot reconcile it to my own sense of propriety to have any agency in this affair without apprising your excellency, frankly and respectfully, of what is intended. I desire to have it distinctly understood, on every hand, that neither these people nor their counsel aim at any thing more in this movement, than an open, peaceful and respectful appeal to the opinion of our own courts, the courts of the union.

Your excellency will not understand me as asking or expecting that you will take the trouble to answer this letter. My object is single and sincere; it is simply to avoid all appearance of concealment, and all misapprehension or surprise on the part of the state of Georgia, by advising your excellency fairly and openly, of the measure in contemplation, and by assuring you that there is no other purpose in view than a quiet, peaceable and respectful reference of the questions of law and right in dispute between the state of Georgia and the Cherokee people, to the highest court of our nation, the supreme court of the United States.

Your excellency will permit me to assure you, farther, that in the future measures which may grow out of this controversy, so far as they shall be under my direction, care will be taken to give as little trouble as possible to the constituted authorities of the state of Georgia, and that the discussion will be conducted with all the respect for that state and its laws which may consist with the proper assertion of what I consider the rights of this unfortunate people.

The decision may be expedited by making a case, by consent, if that course should suit the views of the state of Georgia. It is not asked, however, but suggested merely for your consideration, with an assurance that it it should meet your approbation the Cherokees will cheerfully concur in the measure.

The motives which have led me to trouble you with this communication, make it equally proper, I think, that I should submit a copy of it to the president of the United States; and I shall place another copy in the hands of the Cherokee delegation, in order that they may distinctly see and remember the conduct which is expected from their people, and, what alone, they have a right to expect from me.

I have the honor to remain, sir, most respectfully, your obedient servant, WM. WIRT.

His excellency *George R. Gilmer, governor of Georgia.*

Gov. Gilmer to Mr. Wirt.

Executive department, Geo. Milledgeville, 19th June, 1830.

SIR.—Your communication addressed to the governor of Georgia has been received, informing him of your employment by the Cherokee Indians to defend them against the operation of the laws of the states, and proposing a reference of what you have thought proper to call the dispute between the Cherokee nation and the state of Georgia, to the supreme court of the United States. The governor of Georgia knows of no reason why he should be notified that professional duty required of you to take fees of all who ask your advice. Georgia claims no jurisdiction over the lawyers of Maryland. Your justification will have become appropriate when that state interferes with your professional business. Why it should be the *misfortune* of a citizen of Maryland (as you say it is yours) to differ with the constituted authorities of Georgia, is not very clearly understood. You are neither responsible for the legislation of the state, nor subject to its control. There is no doubt but that many of the lawyers distinguished like yourself (as you say) profess to believe that the state has usurped authority and violated the faith of treaties in passing laws for the protection of the rights, and punishing the crimes of the Indian people who reside within its limits. It is known that the extent of the jurisdiction of Georgia, and the policy of removing the Cherokees and other Indians to the west of the Mississippi have become party questions. It is not therefore surprising that those who engage in the struggle for power, should find usurpation and faithlessness in the measures of the government, accordingly as the loss of office, or the hope of its acquisition may enlighten their understandings. What you say of the fallibility of the constituted authorities of Georgia is a truism of universal application, and can have no meaning but by your intention to render the application particular.

You say that the supreme court of the United States is a high, impartial, and enlightened tribunal. Why such commendation?

The promise you make to use your professional influence to prevent your clients, the Indians, from committing violence upon the people of Georgia is very kind, coming as it does from a private citizen of another state, and will without doubt create an obligation upon the people whose safety is intended, commensurate with the favor to be received.

There are no tears felt in Georgia of Indian violence, altho' it is highly probable that your efforts will be productive of some mischief.—It is believed that the Cherokees in Georgia had determined to unite with that portion of their tribe who had removed to the west of the Mississippi if the policy of the president, were sustained by congress. To prevent this result as soon as it became highly probable that the Indian bill would pass, the Cherokees were persuaded that the right of self-government could be secured to them by the power of the supreme court, in defiance of the legislation of the general and state governments. It was not known however until the receipt of your letter that the spirit of resistance to the laws of the state and views of the United States, which have of late been evident among the Indians, had in any manner been occasioned by your advice. Altho' insurrection among the Indian people of Georgia may be the consequence of your proceedings and those who act in unison with you, the constituted authorities of the state disclaim all right to interfere with you in any manner so long as you keep yourself beyond the jurisdiction of the state.

You have thought proper to give the governor of Georgia an account of the civilization of the Cherokees, describing those whom you have known, to be polished gentlemen, and those whom you do not know, to have ceased to be savages. What you say of the intelligence of the members of the Cherokee tribe who were in Washington last winter is partly true, and equally descriptive of many others. They are not Indians however, but the children of white men, whose corrupt habits or vile passion led him into connection with the Cherokee tribe. It is not surprising that the white man and the children of white men have availed themselves of the easy means of acquiring wealth which the Chero-

kee territory has presented for thirty or forty years; nor that intelligence and spirited activity should increase with their increased wealth; nor that when wealth intelligence and industry are confined to the whites and the children of white men that the power over the tribe should become centered in the same hands. But that these causes were calculated to produce similar effects upon the Indians, the real aborigines, is disproved by every example among the thousands which the experience of the two last centuries has furnished in every part of this continent. The Cherokees have lost all that was valuable in their Indian character, have become spiritless, dependent and depraved; as the whites and their children have become wealthy, intelligent and powerful. So long as the Cherokees retained their primitive habits no disposition was shown by the states under the protection of whose government they resided, to make them subject to their laws. Such policy would have have been cruel; because it would have interfered with their habits of life, the enjoyments peculiar to Indian people and the kind of government which accorded with those habits and enjoyments. It was the power of the whites and their children among the Cherokees, that destroyed the ancient laws, customs, and authority of the tribe, and subjected the natives to the rule of that most oppressive of governments, an oligarchy. There is nothing surprising in this result. From the character of the people and the causes operating upon them, it could not have been otherwise. It was this state of things that rendered it obligatory upon the state of Georgia, to vindicate the rights of her sovereignty by abolishing all Cherokee government within its limits. Whether intelligent or ignorant the state of Georgia has passed no laws violative of the liberty, personal security, or private property of any Indian. It has been the object of humanity and wisdom, to separate the two classes among them, giving the rights of citizenship to those who are capable of performing its duties and properly estimating its privileges, and increasing the enjoyment, and the probability of future improvement to the ignorant and idle, by removing them to a situation where the inducements to action will be more in accordance with the character of the Cherokee people.

Your suggestion that it would be convenient and satisfactory, if yourself, the Indians, and the governor, would make up a law case to be submitted to the supreme court for the determination of the question whether the legislature of Georgia has competent authority to pass laws for the government of the Indians residing within its limits, however courteous the manner, and conciliatory the phraseology, cannot but be considered exceedingly disrespectful to the government of the state. No one knows better than yourself, that the governor would grossly violate his duty, and exceed his authority, by complying with such a suggestion, and that both the letter and the spirit of the powers conferred by the constitution upon the supreme court forbid its adjudging such a case.—Your suggestion is but an evidence of the state of that contest in which the advocates of power, are exerting themselves to increase the authority of the departments of the general government, whilst the friends of liberty and the rights of the people are in opposition, endeavoring to sustain the sovereignty of the states. It is hoped that the efforts of the general government to execute its contract with Georgia to secure the continuance and advance the happiness of the Indian tribes, and to give quiet to the country may be so effectually successful as to prevent the necessity of any further intercourse upon this subject.

Yours, &c. GEORGE R. GILMER.

William Wirt, esq.

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A CARD.

To the editor of the Baltimore Gazette.

I observe, in your paper of last evening, as extracted from Poulson's Philadelphia American, a letter of mine to the governor of Georgia, of June 4th, 1830, and the governor's answer of the 19th of that month. I wish it to be understood that the publication of these letters have not proceeded, either directly or indirectly, from me; although I have certainly no cause to regret it, on my own account. My letter to the governor is in accordance with the professional courtesy, which prevails in Virginia and Maryland, of giving notice, even to a private gentleman, of a contemplated suit, before proceeding against him. It is always intended as a mark of respect, and, in this quarter of the union, is always so received by the gentleman addressed. I thought it still more imperiously due to the governor of the state of Georgia. The other motives of my letter are apparent upon its face, and are cheerfully submitted to the construction of the public.

There is only one passage of my own letter which, to the general reader, can require a word of explanation. My suggestions to the governor is not that "*myself, the Indians and the governor shall make up a case to be submitted to the supreme court:*" It is simply, that "the decision may be expedited, by making a case by consent if that course should suit the views of *the state of Georgia.*" The state of Maryland had done this, on the occasion of her law to tax the branch bank of the United States established at Baltimore: *Mc Culloh* vs. *state of Maryland* 4, Wheaton 316: and, again, on the occasion of another state law, requiring the importers and venders of foreign goods to take out a license from the state *Brown* vs. *the state of Maryland*, 12 Wheaton, 419. This last case is made up in the form of pleadings, not requiring a statement of facts. But in both cases, the attorney general of the state, it is understood, co-operated in the measure, and under the instruction of the state authorities, gave facility and despatch to the reference of the questions to the decision of the supreme court. In both these cases, the question involved was the constitutionality of a state law; and, in both, the state of Maryland united in the reference of this question to the supreme court, and acquiesced in the decision. It was with these cases in view, that I made the suggestion in question, to the governor of Georgia.

I did not answer the governor's letter because it must be seen that it neither required nor admitted an answer in the spirit of courtesy in which I had addressed him, and from which I thought and still think it improper to depart. His letter surprised me, because I supposed the object and language of my own too plain to be misunderstood, and too respectful to have awakened feelings of displeasure. The governor having viewed it in a different light, I am not at all dissatisfied with the publication of the letters, which I presume is intended as an appeal to the people of the United States. To such an appeal I can have no objection, though my respect for the state of Georgia and my desire to avoid all needless irritation, would not have permitted me to make it.

WM. WIRT.

Baltimore, Sept. 9, 1830.

CULTIVATION OF TOBACCO—IN IRELAND.

There is much matter for reflection in the following article, copied from the Baltimore "American." The substance of the whole, however, is—that a sound policy leads even to a prohibition of a cultivation of tobacco in Ireland, because of the excessive profit derived by the government from duties on foreign tobacco!

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The select committee of the British parliament appointed to consider the laws which relate to the growth and cultivation of tobacco in the United Kingdom, have reported their opinions to that body. From their inquiries it appears, that in the reign of Caroline, the cultivation of tobacco was prohibited in Great Britain and Ireland; but in that of George 3d, the prohibition was repealed with regard to the latter island, and tobacco grown there was allowed to be imported under the same regulations as plantation tobacco. From 1799 to 1824, no advantage was taken of the permission, but in 1829, 500 Irish acres were applied to its cultivation. It is the opinion of the committee that the tobacco raised in Ireland is inferior to the American; and owing to this inferiority, and the humidity and uncertainty of the climate being disadvantageous to its cultivation, the proposed duty of one shilling and eight pence would be higher than it could afford to pay, in competition with the customs duty of three shillings per pound on the foreign article. A high excise duty upon tobacco grown in the kingdom, they remark, would create a large increase in the excise establishment; and even with the utmost vigilance, great fraud would be committed on account of the

high import duty, and the facility of evading any excise law that could be enacted. The amount of revenue from such an excise duty, would fall far short of making good the loss of revenue on foreign tobacco, and there would be a necessity of imposing new taxes to supply the deficiency. The duty now levied on foreign tobacco, it is added, is much higher than on any other commodity. At present, a drawback is allowed on all foreign tobacco manufactured in the kingdom, equal to the duty paid upon it; and they contend that if a lower rate of duty should be imposed upon home grown tobacco, the drawback should be apportioned to the reduced duty. This could only be done in relation to such articles as are made of home grown tobacco only; for, in exporting snuff and manufactured tobacco, in which both foreign and home grown are mixed, as no means could be devised to ascertain their respective proportions, either the trader must be injured or the revenue defrauded in the amount of drawback allowed. The act of union having placed all parts of the United Kingdom on an equal footing, in matters of trade, the committee say that if the cultivation of tobacco be continued in Ireland, it must be allowed in Great Britain also, and in that event it is thought that the southern counties of the latter country would engage extensively in it.

It is the opinion of the committee that—

"As the value of all the tobacco (exclusive of any portion which may be smuggled) annually consumed in the United Kingdom does not exceed £350,000, there does not seem to be any foundation for the opinion, that a considerable public benefit would be derived from allowing the cultivation of tobacco in the United Kingdom; that the large profit which has hitherto attended the growing of tobacco in Ireland, and the employment which it has afforded to a part of the laboring population, have been the result of its being free of duty; that these advantages, if continued in their present degree, must speedily produce the sacrifice of a considerable part of the revenue now derived from foreign tobacco, amounting to £2,800,000 a year; that, on the other hand, the cultivation of tobacco in Ireland would cease altogether without a high bounty, were foreign tobacco untaxed, or (what comes to the same thing), without a very discriminating duty, so long as the supply from abroad shall continue to be taxed for the purpose of revenue; that therefore it does not appear to be advisable to divert labor and capital from other branches of industry, more especially when the required protection to be thus afforded cannot be attained without the sacrifice of a very considerable amount of public revenue."

It appears from the evidence examined by the committee, that smuggling to a great extent is carried on, and that no effectual measures can be adopted to repress it, so long as the temptation of evading a duty, equal to twelve times the value of the article on which it is imposed, remains. The committee say that the reduction of the present duty, whenever the circumstances of the country will admit, will be the most effectual remedy to preserve the revenue from fraud; and a reduction to such a rate as would be effectual to that object, would necessarily be regarded by the home grower of tobacco as being destructive of his interests, and as no longer affording sufficient protection to the cultivation of that plant.

After a full consideration of the case, the committee have come to the resolution, that it is expedient to extend to Ireland the prohibition of growing tobacco, which has so long existed in England and Scotland, and that the prohibition should take place from the 1st Aug. 1831.

ORIGIN OF YANKEE DOODLE.

From the Raleigh Register.

Messrs. *Gales & Son*: In the simultaneous attacks that were made upon the French posts in America in 1755, that against fort Du Quesne, (the present seite of Pittsburg), was conducted by gen. Braddock, and those against Niagara and Frontenac, by gov. Shirley, of Massachusetts, and gen. Johnston of New York. The following is an extract from judge Martin's history of North Carolina, just published, giving an account of those expeditions:

"The army of the latter, (Shirley and Johnston) during the summer, lay on the eastern bank of the Hudson, a little south of the city of Albany. In the early part of June, the troops of the eastern provinces began to pour in, company after company; and such a motley assembly of men never before thronged together on such an occasion, unless an example may be found in the ragged regiment of sir John Falstaff. It would have relaxed the gravity of an anchorite, to have seen the descendants of the puritans, marching through the streets of that ancient city [Albany], take their situation to the left of the British army, some with long coats, some with short coats, and others with no coat at all, with colors as varied as the rainbow; some with their hair cropped like the army of Cromwell, and others with wigs, the locks of which floated with grace around their shoulders. Their march, their accoutrements, and the whole arrangement of the troops, furnished matter of amusement to the rest of the British army. The music played the airs of two centuries ago, and the *tout ensemble*, upon the whole, exhibited a sight to the wondering strangers, to which they had been unaccustomed. Among the club of wits that belonged to the British army, there was a doctor Shackburg, attached to the staff, who combined with the science of a surgeon, the skill and talents of a musician. To please the new comers, he composed a tune, and with much gravity recommended it to the officers as one of the most celebrated airs of martial music. The joke took, to the no small amusement of the British: Brother Jonathan exclaimed it was *nation fine*, and in a few days nothing was heard in the provincial camp but the air of Yankee Doodle. Little did the author, in his composition, then suppose, that an air made for the purpose of levity and ridicule should ever be marked for such high destinies. In twenty years from that time, the national march inspired the heroes of Bunker's Hill, and in less than thirty, lord Cornwallis and his army marched into the American lines to the tune of Yankee Doodle."

CHINESE PROCLAMATION.

The U. S. ship Vincennes came to China for refreshments. The following is a government edict concerning her:

Kwo, acting Keun-Min Foo, &c. hereby strictly prohibits compradors from clandestinely carrying provisions.

The pilots have reported that on the 9th day of the 12th month of the present year, P'een-che (Finch's) American cruizer, having met with strong and adverse winds, anchored in the offing at the Nine Islands, waiting for a fair wind to enable her to set sail, and go away, &c.

At that time I made a general report according to the facts, and sent despatches to the civil and military officers, to guard and keep a strict watch, and to urge her to make haste and set sail, not permitting her to linger about and create disturbances. This is on record.

It appears that when the said nation's cruizers came to Canton, not being for the purpose of giving convoy to their merchant ships, heretofore the officers of government have not permitted them to have compradors.

Being really apprehensive that traitorous and designing natives will clandestinely afford supplies, and that Whampoa compradors, making a pretext of having licenses, and aiming at gain, will pretend to carry provisions to English, American, and ships of other foreign nations, and secretly deliver them to the cruizer; or that fishing and tanka boats, carrying provisions and other things, will go alongside and keep up their supplies, by which a heavy offence will be incurred; it is proper to issue a strictly prohibitory proclamation.

I therefore proclaim to the military and the people, to the fishermen, and those in tanka boats, as well as to the Whampoa compradors, &c. for their full information; that if any designing natives, coveting gain, clandestinely carry provisions to the American nation's cruizer, or make a false pretext of loading provisions for delivery to the ships of other nations, and go to the American to keep up her supplies; immediately on apprehension, they will decidedly be severely punished.

I will maintain the laws immoveable as a mountain. Positively no indulgence will be shewn. Let every one implicitly obey. Do not oppose. A special proclamation. TAOU KWANG,

9th year, 12th month, 16th day (10th Jan. 1830.)

NILES' WEEKLY REGISTER.

FOURTH SERIES. No. 5—VOL. III.] BALTIMORE, SEPT. 25, 1830. [VOL. XXXIX. WHOLE No. 993.

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES & SON, AT $5 PER ANNUM, PAYABLE IN ADVANCE.

☞An extraordinary pressure of what may called *mechanical* duties, has materially affected the general business of the week.

The title page and index for the last volume is given herewith, and the large supplement, containing the famous debate in the senate of the United States on Mr. Foote's resolution, will be finished in a day or two. Its price is one dollar. Not many copies are unengaged, and those who wish to have it and have not applied, will please to send in their names immediately. If any of the small edition printed should remain, they will be sold to non-subscribers to the REGISTER.

THE CHEROKEE LANDS. We present Mr. Wirt's statement of the case and opinion, on the right of the state of Georgia to extend her laws over the Cherokee nation—and shall give the opinion of judge Clayton, of Georgia, on the other side. These articles will interest our readers, and are such as must be recorded.

We have received a long communication, without any signature, (and honestly *post-paid* too), at New York, contesting the opinion of Mr. Wirt, and rather claiming a place, because that we promised to make room "for any *similar* article that shall appear on the other side," which we supposed might "be expected from the attorney-general of the state of Georgia." Judge Clayton's opinion is a "similar article"—that is, a responsible one; so will be a statement or opinion expressed by any one acting under the authority of the United States, or of Georgia;—but, with only, perhaps, two inadvertencies, have we ever admitted into this work *anonymous* communications of the nature of that now presented, in reply to official, or otherwise authorized or authenticated, papers; and, if the writer of the piece before us, (who shows much zeal as well as talent), will reflect half a minute on the subject—knowing the *manner* in which this work has been always conducted, he will see, that, to admit such things, would be to break up the whole plan of the REGISTER, and deprive us of all discretion over the contents of its pages, because of that rigid impartiality which we have always exerted, as to important public discussions, in presenting both sides, in their most imposing, or official, form. Hence it is not once in a year that we insert an anonymous communication of any sort.

FROM FRANCE. We have further important news—the charter has been amended, as we anticipated, *in favor of liberty;* the duke of Orleans has been proclaimed king, and the whole business of the revolution appears consummated! See page 77. *The state religion is abolished*—the *press* made free—the *elective franchise* extended—all laws *or taxes* to be first voted for by the chamber of deputies, and the *powers* of the king, in many respects, materially restrained. "GOOD!"

There is not yet much indication of the course which the *holy* allies will pursue in this great emergency. But, will they suffer the people of France to set aside the "divine right" of kings?—will they permit a fat *national* clergy to become like other men?

This last act of France has an "awful squinting" against the lazy and fat, and horribly oppressive, *church of England*—and we trust, will reduce that iniquitous establishment nearer to a state of common honesty than it holds at present. See page 76. If the "laborer is worthy of his hire," those "who do not work should not eat."

It may be expected that Spain will follow the lead of France. That country is exceedingly agitated.

POLITE! A number of the Register, plainly addressed to "Hopewell Cotton Works, Pa." was returned to us through the Baltimore post office, on Saturday last, with the following polite endorsement—

"Ye who know where this is directed to forward—I know not where it is—and B, D'd to't."

This is a pretty *ingenious* method of shewing the blackguard—but we hope a *reformation* will speedily take place! We have no suspicion at what office this endorsement was made, but cannot suppose that it happened in our own. There *is* such an office in Pennsylvania, and it is the business of postmasters to know it.

THE NEW YORK "HERALD" has been merged in the *New York Standard*—the latter paper, in every respect, in *politics* or *political economy*, bearing a different character from the former. Mr. Mumford, the editor of the "Standard," is a gentleman of handsome talents, and we wish him success, except in his endeavors to put down the "American system"—for with his politics, proper, we shall not interfere.

COMPETITION! The following shews the safety with which protection may be afforded, when the desire of profit is left free to contend with it:

In the years 1826 and 1827, the lead mines on Fever river were powerfully worked, and with great profit—the lead commanding on the spot 4½ cents per lb.; much labor and capital, of course, were engaged in the business, and now it is one of the worst that is pursued—the average price of lead, at Galena, in 1829, being less than 2 cents, and, at one time, only 1¼ cents. The consequence is, that many have retired from mining and smelting lead—and will remain so, until the present great stock on hand being exhausted, the price shall afford a living profit.

MAINE. While some of the papers insist that Mr. Smith, (Jackson) has been elected governor of this state by a majority of about 2000, over Mr. Hunton, late governor, others make it probable that "no choice" has been made. The fullest returns that we have seen, shew—for Smith 26,894, Hunton 26,257. A good many towns yet to be heard from.

So far as ascertained, the house of representatives stands thus—Jackson 58, Clay 56, with 7 vacancies, "no choice," and 4 "incomplete!" It is doubtful which party has the majority. The senate returns shew 11 Jackson, 9 Clay.

But the results are yet uncertain—and we know not who are elected members of congress, except partially. We shall probably learn the truth next week.

MASSACHUSETTS. A writer in the Boston papers, judging by the returns of the census so far as they are known, has arrived at the conclusion, that the population of this state will not exceed 620,000.

In 1822, vol. 22, page 345—we calculated that the inhabitants of Massachusetts would amount to only 575,600 in 1830; but since supposed that the number would be about 650,000, because of new employments afforded in manufactures.

The increase from 1810 to 1820, was at the rate of 15⅓ per cent., and it is supposed that the rate from 1820 to 1830 will be 22⅔.

The population of Boston and its suburbs, is thus shewn:

	1810.	1820.	1830.
Boston,	33,250	43,294	61,581
Charlestown,	4,954	6,591	8,783
Cambridge,	2,323	3,295	6,071
Roxbury,	3,669	4,135	5,166
Dorchester,	2,930	3,684	4,059
	47,126	60,999	85,460

Increase from 1810 to 1820, 13,873, or 29½ per cent.
Do. do. 1820 to 1830, 24,461, or 40 " "

Charlestown and Cambridge are united to Boston by bridges---those to Charlestown 1503 and 1420 feet long respectively---those to Cambridge 3483 feet and 2796 feet. Roxbury and Dorchester are united by natural avenues---the latter joining South Boston. The whole may be regarded as one city as much as what is generally called *London*, or *New York*---except that the whole island on which the latter stands, has only one *corporation*. There are several in London, and we think not less than six in what is called Philadelphia.

VERMONT. The representatives in the legislature of of the state are thus classed---121 Clay, 76 anti-masonic, 28 Jackson. It is added, by the "Rutland Herald," that "the anti-masons are anti-Jackson to a man." No choice of governor, though Mr. Crafts had a large plurality of the votes, and it is said will be elected by the legislature.

MISSISSIPPI. The following is given as the returns of the late election for a member of congress in this state:

Mr. Plummer 4148, Dickson 2713, Wilkins 2078, Norton 1398, Sharkey 1372, Webber 155.

PROSPERITY OF PHILADELPHIA. In reply to some croaking jeremiads of a cotemporary journal, the United States' Gazette gives the following favorable account of the condition of Philadelphia, which we believe to be correct, and sincerely rejoice in:

"We certainly have not the same European carrying trade which we once enjoyed—(*Bonaparte is dead,*)—but business generally is better this year in Philadelphia than usual; commerce is greater; more merchandize is sold; more houses built, and more money made. There are few failures, less complaint, and altogether, a more active, cheerful appearance among merchants, than has been remarked for many years."

THE SUSQUEHANNAH BRIDGE, *at Port Deposite*, which was destroyed by fire, has been so far finished as to be passable for wagons.

"This magnificent piece of architecture (says the Baltimore Gazette) has been executed by those celebrated bridge builders, Lewis Wernwag & Sons, and has been accomplished in the short period of *four months*, by sixty workmen. The framing was commenced on the third of May, and the bridge was rendered passable on the third of Sept., the mail stage having on that day crossed it. Besides the wood work, a considerable proportion of the stone piers and abutments was rebuilt during the same period. The whole length of that part of the bridge which has been rebuilt is 1240 feet, consisting of six arches, some of which are 210 feet span.

"We are informed that not the slightest accident occurred during the progress of the work, which may be accounted for by the fact that the use of spirituous liquors was entirely dispensed with.

"Previous to being weather-boarded and roofed, it presents a very imposing spectacle. The arrangement of the string pieces, king posts, braces and arches, curiously mingled, and yet systematically arranged, is calculated to excite admiration at the boldness of the original conception, and the great perfection of the art."

Mr. Wernwag has first rank as a bridge-builder---he is a man of much genius, and of unbounded perseverance. He is now assisted by six members of his own family, to perpetuate his talents and go on to improve by their industry. The whole are capable of the greatest undertakings of this kind.

The length of the span of the bridge built by Mr. Wernwag, over the Schuylkill, several years ago, which yet stands as firmly as ever, is 340 feet---and he is confident of an ability to construct a bridge, on his principles, with a span of five hundred feet.

UNIVERSITY OF MARYLAND. This school has been very steadily gaining on the public approbation, and the zeal and industry of the various professors, have rendered it one of the most valuable establishments of the kind in the United States, and the whole institution is considered as in a rapid state of improvement. We meet with the following notice from "the faculty of physic," and give it a place for general information. Most of the professors are veterans in science.

The lectures of *the faculty of physic* will commence on the last *Monday* of October, and terminate on the 1st March, 1831.

Nathaniel Potter, M. D. theory and practice of medicine.

Elisha De Butts, M. D. chemistry.

Samuel Baker, M. D. materia medica.

Richard Wilmot Hall, M. D. obstetrics and diseases of women and children.

Maxwell Mc Dowell, M. D. institutes of physic.

Nathan R. Smith, M. D. surgery.

Benjamin Lincoln, M. D. anatomy.

Clinical lectures on the theory and practice of medicine and surgery, will be given by the professors of these departments in the infirmary, attached to the university: where the students may also attend surgical operations.

The professor of chemistry has lately returned from Europe with a large addition to the chemical and philosophical apparatus.

From the high opinion which the late lamented Dr. Wells, entertained of the talents of Dr. Lincoln as a professor of anatomy, the faculty, with confidence, expect that ample satisfaction will be afforded to the class in this department. SAMUEL BAKER, *Dean.*

PLUTARCH'S LIVES. We have seen a very elegant stereotype edition of this valuable work, in one volume, recently published by Messrs. Wm. and Joseph Neal, booksellers of this city. It contains upwards of 800 pages, printed on fine paper, and is sold for the low price of $2 50.

"CHANGE OF POSITION." In making some remarks on the Charleston election of an intendant, or mayor, of that city, in the last number of the REGISTER, we spoke pretty decidedly of certain changes of opinion that had latterly happened, and of which few, if any, of the present leading politicians of South Carolina can "free their skirts of," however ready they may now be to *fight against* what they would have *fought for*. We do not regard Mr. Pinckney as one of the "leaders," but he has filled an office rendered interesting because that *he* has lost it, and we shall give some extracts from an oration delivered by him in 1825, as presented to us in the "Charleston Courier." We called him a "latitudinarian" borrowing the word from Mr. Ritchie, of the "Richmond Enquirer" though he had worn it threadbare in "*crisical*" times, by violently throwing it at the head of Mr. CALHOUN, because of *his* support of internal improvements and domestic industry, a little while ago.

The extracts go the "*whole length*"—and, like some of Dr. Cooper's former essays, are among the best arguments that have been used against the *new* doctrines of the *old* anti-radicals, concerning "state rights." And we hope that the venerable doctor, as well as the editor, in this great compliment paid to their *talents*, will excuse expositions of their *consistency!*

Extract from Mr. Pinckney's oration.

"Here, then, we might pause, fully satisfied with the efficacy of the principles which have already been enumerated; but it cannot be improper or uninteresting to notice, in addition, the great moral influence of the INTERNAL IMPROVEMENTS of our country. It is not necessary, upon this occasion to advert to *the scruples which have opposed this scheme.* No doubt exists in any reflecting mind of the *perfect adequacy* of the GENERAL GOVERNMENT *to establish a system of national works* for the common advantage of the union. The moral benefits of such a system it is almost impossible to estimate. By facilitating the communication and promoting the *domestic commerce* of the states, it must necessarily impress upon all the importance of each, and thus draw closer the ties of FEDERATION. By producing a constant and rapid interchange of sentiment, and bringing, as it were, the remotest extremities of our empire into contact, it will soften prejudice, remove asperities, and burnish and confirm the great moral chain of common interest and feeling. NATIONAL PRIDE also, will be powerfully enlisted, by its ageney, in the support of UNION. Nations, like individuals, are naturally proud of the works of their hands, and the evidences of their greatness. They che-

rish them with paternal fondness, and are unwilling that they should be lost or suffered to decay. Who among us does not rejoice in the name of *American*, when he reflects on the stupendous monument achieved by the industry and enterprize of New York? Who does not feel gratified when he hears it eulogized by foreigners, and beholds it proposed as a reproach and example to the sovereigns of Europe? And if such are the feelings produced by the exclusive performance of a single state, *who can assign a limit to the thrilling emotions of patriotic joy which will swell the bosoms of our people, when the whole of our country shall be intersected by* CANALS *and* ROADS, *and adorned, fortified, and enriched, by a vast* NATIONAL CHAIN *of magnificent and imperishable works?* In the patriotic prosecution of these great improvements, then, we behold an additional guarantee for the preservation of our UNION. The increasing developement of our physical resources will operate as moral incentives to an increased attachment to our GOVERNMENT. The love of liberty, literally, will "grow with our growth, and strengthen with our strength;" and thus, in the continued progress of these NOBLE WORKS, our government, with all its blessings and all its glory, will sink unceasingly deeper and deeper in the love and reverence of the people!

"Such are some of the *causes* upon which we build our confidence in the PERPETUITY OF UNION; and, when in corroboration of these causes, we recollect that our government is a government of *peace, and not of war*---that it is not only admirably adapted to secure *internal tranquillity*, but has proved itself competent to repel invasion; that our increase is owing to our harmony, industry, and enterprise, and not to the violence of military conquest, that all our people speak a common language, and are actuated by a common interest; that they all possess the same privileges, enjoy the same glories, and partake the same dangers; and above all, that our *political salvation lies in* UNION, while every thing terrific in discord, and lamentable in weakness, must necessarily follow from *anarchy and dismemberment;* we feel perfectly justified *laughing to scorn* the *malicious predictions of* our *enemies*, and in believing with religious faith, that our republican constitution will last for ages, the pride and glory of its own people, the asylum of the oppressed of other climes, and the envy and admiration of the world; and that it may so flourish and endure, let all of us, in common with our brethren throughout the union, perform our parts in sustaining its strength, and promoting its purity and honor. Let us cultivate with zeal all the principles and feelings which belong to a republic. Let us cherish simplicity of manners and purity of morals, an ardent love of liberty, and a high sense of *national character and dignity.*

"Let us regard it as a solemn duty to encourage merit and reward virtue, and to expose and punish political corruption and hypocrisy. In short, let every citizen act as if the welfare of the whole depended upon his virtues as a man, and his devotion as a patriot---and thus thinking and thus acting, let the motto of every American be, "OUR COUNTRY, OUR WHOLE COUNTRY, AND NOTHING BUT OUR COUNTRY!"

Again—

"The danger of dismemberment is still obviated by that very extension of our empire, which has been supposed to carry in its bosom the seeds of ruin. If the increase of our territory engenders sectional jealousies, it also renders them entirely harmless. In a confederacy as extended as ours, the *attempts of individuals*, or even the DISCONTENT AND IRRITATION OF ONE OR MORE STATES, *would pass unheeded as the idle wind.* Heated to desperation by the WILES OF DEMAGOGUES, or governed by *unreasonable views* of their own dignity and interest, they might possibly be seduced for a moment from their *loyalty to the union*, but the *pernicious example* would extend no further. All the other members of the union, having *no sympathy or participation* in their *misguided views*, would either *frown* them into propriety, or ridicule them into shame. If in the *course of our history*, we have occasionally been *mortified* by observing a *momentary* disposition in *some of our states*, to array themselves against the *government*, we have also been consoled by the *universal opposition to their conduct*, which has always been manifested by all the other states; and by the *certainty* and *facility* with which they have been induced *to retrace their steps, and to relinquish their pretensions.* Indeed, the field of operation is entirely *too large* to admit the smallest hope of SUCCESSFUL COMBINATION. The errors or misdirections of one, or of a few, will be *surely resisted and corrected* by the impartial judgement and patriotism of the others. *There may be occasional deviations and eccentricities;* but as in the planetary system, they will not derange the order and harmony of the whole."

☞ These extracts cover the broadest ground that can be taken against "*state-rights*," as they are called, and all that is comprised within the term "*nullification*," about to become a thing to be laughed at, at merry-makings of a REPUBLICAN PEOPLE, *respecting the will of the majority---loving the union, and maintaining it.*

Shortly after these extracts were published, Mr. Pinckney came out in the "Mercury" of the 20th Feb. 1830, and, acknowledging their authenticity, gave many excuses for his changes of opinion—with which we find no fault. What was wrong in himself, he ought to correct—and, he spoke largely about the "welfare of the south," the "oppression of the south," *and so forth*—all being "the south." Very well—it is only asked that Mr. Pinckney, in changing his opinions, will allow other persons the right of holding on to theirs! They may not be required, by the use of "sugar of lead," to turn as he turns!

It would give us but little trouble to shew like changes in men far more distinguished in "the south" than Mr. Pinckney—for the means are at hand; and, perhaps, *will* be used. We repeat, as to these, that "one renegade is worse than ten Turks!"

We shall conclude for the present, with offering an extract from the plan of a *national* government, submitted to the federal convention of 1789, by *Charles Pinckney*, a delegate from South Carolina.—It is conclusive on the points disputed, and has been recently endorsed by Mr. *McDuffie*.

"I apprehend the true intention of the states, in uniting, is to have a firm national government, capable of effectually executing its acts, and dispensing its benefits and protection. In it alone can be vested *those* powers and prerogatives, which *more particularly* distinguish a *sovereign state.* The members, which compose the superintending government, are to be considered *merely as parts of a great whole*, and only *suffered* to *retain* the powers necessary to the administration of *their state system.* The idea, which has been so long and falsely entertained, *of each being a sovereign state, must be given up;* for it is absurd to suppose there can be *more than one sovereignty* within a government. The states should retain nothing more than that *mere local* legislation, which, *as districts of a general government*, they can exercise, more to the benefit of their particular inhabitants, than if it was vested in the supreme council; but, in every foreign concern, as well as in those *internal* regulations, which, *respecting the whole*, ought to be uniform and national, *the states must not be suffered to interfere.*"

"Whatever views we may have of the *importance of retained sovereignty* of the states, be assured they are *visionary and unfounded*, and that their true interest consists in concentering as much as possible, the force and resources of the union in one superintending government, where alone they can be exercised with effect. In granting to the federal government certain exclusive national powers, you invest all their incidental rights. The term exclusive involves every right or authority necessary to their execution."

"Most of the states have neglected altogether, the performance of their federal duties, and *whenever their state policy, or interests* prompted, used their *retained sovereignty* to the *injury and disgrace of the federal head.* Nor can any other conduct be expected, *while they are suffered to consider themselves as distinct sovereignties*, or in any other light, than as parts of a common government. The United States can have no danger so much to dread, as that of disunion; nor, has the federal government, when properly formed, any thing to fear, *but from the licentiousness of its members.*"

"In short, from their example, (of the ancient and modern confederacies) and from our own experience,

there can be no truth more evident than this, that *unless our government is consolidated, as far as is practicable, by retrenching the state authority, and concentering as much force and vigor in the union, as are adequate to its exigencies*, we shall soon be a divided, and consequently an unhappy people."

"Independent of our being obliged to rely on the militia, as security against foreign invasions, or domestic convulsions, they are in fact the only adequate force the union possesses, if any should be requisite, *to coerce a refractory or negligent member, and to carry the ordinances, and decrees of congress into execution.* This, as well as the cases I have alluded to, will sometimes make it proper to order the militia *of one* state into *another*."

☞What more? Here is the endorsement!

The following extracts (says the Charleston Courier) from *Mr. Duffie's* reply to the Georgia "Trio," in 1821, are too consonant with the foregoing, to be omitted here. It will not be difficult to show, that similar views have been expressed by other leading statesmen, whom Carolina delights to honor.

"What security, then, did the convention, or in other words, "the people of the United States," provide, to restrain *their* functionaries from usurping powers *not delegated*, and from abusing those, with which they are really vested? Was it by the *discordant clamors*, and *lawless resistance* of the *state rulers*, that they intended to "insure domestic tranquillity, and form a more perfect union?" Was it by the *officious interference* of their *inferior agents* appointed for no other purposes, than those indicated by the state constitutions, that they intended to "insure *a salutary control* over their *superior agents?*" No—the constitution will tell you, what is the real security they have provided. It is the responsibility of the officers of the general government, *not to the state authorities*, but to *themselves*, THE PEOPLE. This, and this only is *the great conservative* principle, which lies at the *foundation* of *all our political institutions*, and sustains the great and glorious fabric of our liberty. This great truth ought to be kept in constant and lively remembrance by every American."

"*The states, as political bodies, have no original, inherent rights.* That they have such rights is a *false, dangerous and anti-republican assumption*, which lurks at the bottom of all the reasonings in favor of state rights."

"As far as I can collect any distinct propositions from the medley of unconnected quotations, you have made, on these very important subjects, I understand you to affirm, that in expounding the federal constitution, we should be '*tied down to the strict letter*" of that instrument; and that the *general* government 'was not made the *exclusive or final judge of the extent of the powers to be delegated to itself*, but that, as in all other cases of compact, among parties having *no common* judge, EACH PARTY HAD A RIGHT TO JUDGE FOR ITSELF:'—these may be considered *the concentrated essence of all the wild and destructive principles*, that have ever been advanced, in relation to the subjects under consideration."

"I should suppose, therefore, that no professional man could hesitate in saying, that a forcible opposition to the judgment of the *federal* court, founded upon an *act of congress*, by WHATEVER *state authority* that opposition might be authorised, would be *the very case* which the convention had in view, when they made provision for 'calling forth the militia *to execute the laws of the union.*'"

OYSTER WAR. We understand that a second edition of the proceedings of last year, between the Staten Islanders and Jerseymen, relative to the oyster beds, is now going on again. A fleet of oyster schooners and sloops, *armed*, accompanied by about one hundred skiffs, made their appearance on the disputed ground on Monday, *for the purpose of despoiling the beds of oysters which had been planted there since they were scraped by the same individuals last season.* As soon as these movements were discovered, expresses were sent off to the governor, and every exertion made to drive away the intruders, who rushed like a torrent from Staten Island, sweeping off the oysters and clams. The Amboy artillery was got in readiness, and every preparation made for action, but some of the enemy landed on Monday night, stole into the camp while the sentinels were asleep and spiked the cannon. When our informant left yesterday afternoon, the oyster beds were in quiet possession of the Staten Islanders. [*N. Y. Gazette.*

☞Does it not occur to the "state-rights folks, that there should be some way of settling this dispute" between citizens of New York and New Jersey, without an appeal to arms? It appears that some of the latter had planted oysters that they might have profit in the proceeds, and that the New Yorkers, who had not planted, would gather the fruit by force. There is a legal jurisdiction in one state or the other—shall it be settled by *cannon-law?* It is a small matter, but involves a most important principle, and, if not speedily attended to, will cause the loss of life.

COST OF CLERGY. The established churches of England and Ireland cost £8,852,000 a year, their followers amounting to 6,400,000 people. The dissenters in England and Ireland amount to 14,600 000 people, who pay their religious instructors £1,024,000 per annum. The clergy of the whole Christian world (England and Ireland excepted) which contains 188,728,000 people, receive altogether but £8,852,000 a year. So that the clergy of all descriptions in Great Britain and Ireland, which have a population of 21,000,000, actually are paid more than that of the whole christian world beside, by the sum of £1,024,000, per annum.

The Church of England.—The number of benefices is 10,533. Of this number only 4,413 are residents; 2,619 are exempted from residence by being pluralists; 2,147 are exempted by license; and 1,354 have left their charge without explanation. The clergy form about a fifth of the landed proprietors, from whom they are distinguished by wearing black clothes. Of the working clergy—namely, the curates, the substitutes of the rectors or the vicars, there are 4,234. Of these, 2,198 are resident; nearly three-fourths have stipends from £6 to £100, averaging £63; about another fourth have stipends from £100 to 200, averaging £130; and 35 have an income amounting, on the average, to £230. The total charge for these effective persons is £326,320. The income of the higher functionaries is generally supposed to be about £6,000,000 per annum, or nearly nineteen times what is paid to the working clergy.

[*Glasgow Chronicle.*

☞With such a *national* church, there is nothing in the following to surprise any one.

Religious Statistics.—In looking over a religious work yesterday, we were struck with the following facts, detailed in a Baptist anniversary meeting in Ireland, by lieutenant Gordon:

In Preston, Lancashire, (England) in 1821, there were 3,000 Catholics---they had increased in 1829 to 11,000; in the parish of Carrington, in Devonshire, of a population of 900, there had been a conversion of 200 to Catholicism; in Blackburn, where the priest had on his arrival been compelled to say mass in his parlor---there are now two large chapels and a congregation of 7,000 persons; and in the lordship of Stonyhurst 7-8 of the inhabitants are Catholics. [*U. S. Gazette.*

INTERESTING ITEMS.

A writer in the *Georgia Journal* names *William H. Crawford* as a candidate for the vice presidency of the United States.

It is a curious fact that in Demerara and Esequebo the number of male *slaves* is 37,002, while there are only 23,276 females. Another curious fact is, that the number of *white* males is 2,100, while the number of white females is only 906. Among the *free* blacks the proportion is reversed, viz. males 2,530, females 3,830. Total males of both colors, 41,652; total females, 28,012.

Another splendid carriage from the shop of the famous Mr. Imlay, of Baltimore, has been placed on the Baltimore and Ohio rail road. It is called the "Baltimore," and will accommodate 30 persons, to be drawn by one horse.

Nearly 40 houses were lately destroyed at Gloucester, Mass. by fire—the property lost, including 5,000 barrels of mackerel, has been valued at $100,000—very little of which was insured.

Gen. Iredell, a senator of the United States from South Carolina, has declined a re-election, because of a desire to attend to his professional pursuits.

Admiral sir Isaac Coffin has been advanced, by the recent naval promotions in England, to be an admiral of the red. Among the names of the captains to be rear-admirals, we observe that of captain Broke, who commanded the frigate Shannon, in her successful engagement with the ill-fated Chesapeake.

The Burlington (N. J.) Chronicle states, that Joseph Bonaparte was making arrangements to return to France.

The steam boat William Peacock exploded on lake Erie, near Buffalo, on the 17th inst.—or rather a joint in the pipe that conveyed the steam to the cylinder gave way, and discharged the steam among the passengers! At least ten persons were instantly scalded to death, or were missing, and a number of others had suffered dreadfully. The noise of the steam so drowned the cries of the people, that it was, for the present moment, thought no injury had been sustained. Several of the killed were children. These are terrible deaths.

We regret to learn that what is called the "stranger's fever," prevails at Charleston, S. C., and that many cases of the "yellow fever" have appeared at New Orleans.

The U. S. troops sent into the Cherokee nation, it is stated, have for their direction to drive off the white gold-digging intruders.

Charles Carroll, of Carrolton, completed his 94th year on the 20th inst. He is in fine health.

A branch of the United States bank has been established at Utica, N. Y. John C. Devereux, president, and Wm. W. Frazier, cashier.

In April last there died at Pleskow, in the government of Novogorod (Russia), a farmer named Michofsky, who had attained the wonderful age of 165 years. He led a very sober life, though occasionally he partook of ardent spirits. He never ate meat more than twice a week. At 120 he still labored in the field, and only desisted on account of a sprain in his foot. He has left 4 children, 36 grand-children; and 16 great-grand-children. His mother lived to the age of 117, and one of his sisters to 112, but his father died at 52.

LATER NEWS FROM FRANCE.

From Paris papers of the 11th August.

On the 5th August, the chamber of deputies having chosen the five candidates from among whom the executive power was to designate one as president, sent the list by a committee to the duke of Orleans, who thus addressed them:—"I would have wished that the chamber had made the nomination itself; but we must conform to the law. I shall always set an example of so doing. I hope, however, it is the last time a list will be presented to me." On the 6th, the duke designated *Casimir Perrier* (who was at the head of the list) as president; and the four others, Messrs. Lafitte, Delessert, Dupinanc and Royer Collard, were installed by the chamber as vice presidents. M. Casimir Perrier being prevented by indisposition from attending, the senior vice president, M. Lafitte, took the chair, and the house immediately proceeded to the modification which the charter was to undergo. A discussion ensued for two days; during which, with the exception of M. Hyde de Neuville and some two or three others, all voices seemed unanimous, that if the duke of Orleans would accept the crown upon the conditions that would be imposed upon him, he should be king. Accordingly, having modified the charter in such a way as to make it a more perfect guarantee of the liberties of the citizen, and adopted it anew, the deputies proceeded in a body and on foot, escorted by the national guard, to the palais royal, to offer the throne, which they had declared vacant, to the duke of Orleans. The deputies being introduced into his presence, *M. Lafitte* read to him the declaration of the chamber, which thus concludes:—

"Upon condition of his accepting and agreeing to these propositions and stipulations, the chamber declares, that the urgent and universal interest of the French people calls to the throne his royal highness Louis Philip of Orleans, duke of Orleans, lieutenant general of the kingdom, and his male descendants forever, in the order of birth, and to the perpetual exclusion of females and their descendants:—Wherefore resolved, that his royal highness be invited to accept and to swear to the clauses and stipulations above stated, the maintenance of the constitutional charter, and of the modifications pointed out: and after doing so in presence of the assembled chamber, to assume the title of *king of the French.*"

To this declaration the duke of Orleans, surrounded by his family, thus replied:—

"I receive with profound emotion, the declaration you present to me. I look upon it as the expression of the national will, and it appears to me in harmony with the principles I have professed all my life. Filled with recollections which always have induced me to wish that it might never be my destiny to ascend a throne, exempt from ambition, and accustomed to the peaceful life which I have led in the midst of my family, I cannot conceal from you all the emotions which agitate my heart on this most important conjuncture; but there is one that overmasters them all, and that is love of my country. I feel what it requires of me, and I will do it."

After this reply, delivered with much emotion, gen. *Lafayette*, taking the arm of the duke of Orleans, said in a loud voice—'This is such a prince as I desired; this is the best of republics.'

The peers speedily followed the deputies, and waited upon the "citizen king," as they called him. They delivered a brief address and received a suitable reply.

The deputies having declared the throne vacant by the flight of the king and his family, proceeded to make certain alterations of the charter, which, having passed through all their forms, and been accepted also by the duke of Orleans, he took the oaths as king of France on the 9th August, and was proclaimed accordingly.

The debates in the chamber of deputies on the 5th inst. were very interesting. As we may soon publish the charter as amended, we shall not now go into a detail of the proceedings. Every thing was conducted with much promptness and unanimity. *A state religion is abolished*—all persons, secular or ecclesiastic, are placed on the same footing, without regard to religious belief. The *king* is restrained in many respects, and his powers do not now exceed those of the king of England, and, indeed, are less, because that he is not the "head of the church," as the *wise* and *pious* king of England is. The *freedom of the press*, and *trial by jury* are secured. The *elective franchise* is extended. The *power of taxation* is vested in the chamber of deputies. In short, the French nation is now a free one; and the sublime principle is established that kings may be put down or raised up, at the will of a people. All these great affairs have been accomplished, with very little opposition.

Every thing being prepared—the hall of the deputies being hung with tri-colored flags, the duke of Orleans entered on the 9th inst., bands of music playing the airs of *Reveil du peuple et de la Marseillaise*, and, in the presence of a vast multitude, Casimer Perier, president of the deputies, read the declaration of the chamber—"that the universal and pressing interest of the French people calls to the throne his royal highness *Phillippe d'Orleans, duc d'Orleans!* (The lieutenant-general said "*Louis Phillippe*") which M. Perier repeated, continuing, lieutenant-general of the kingdom, and his descendants for ever in the male line in order of primogeniture, and to the perpetual exclusion of females and their descendants. In consequence, his royal highness Louis Phillippe d'Orleans, lieutenant-general of the kingdom, will be invited to accept of and swear to the clauses and engagements thus expressed, and after having done this, to take the title of "King of the French."

The lieutenant-general then made the following declaration:

"I have read with great attention the declaration of the chamber of deputies, and the act of adhesion of the chamber of peers. I have weighed and meditated on all the expressions.

"I accept, without restriction or reserve, the clauses and engagements which this declaration embraces, and the title of the king of the French, which it confers on me. I am ready to swear to its observance."

The following oath was then administered by M. Dupont, (de l'Eure) exercising the functions of keeper of the seals, (garde des sceaux.)

"In presence of God, I swear faithfully to observe the constitutional charter, with the modifications expressed in the declaration, to govern only by the laws and according to the laws; to render equal and exact justice

to every one, according to his right, and to act in all things with a single view to the interest, the happiness, and the glory of the French people.

The king then signed three copies of the oaths and declaration.

Charles Xth, at different periods of his reign, having, for the purpose of obtaining a majority in the house of peers, created many new peers, the following proposition was submitted to the chamber of deputies by M. Berard:

"All nominations and creations of peers made under the reign of Charles X. are declared void and of none effect. The 27th article of the charter, (giving the king power to create peers), shall be subjected to a new discussion in the sittings of 1831."

These propositions being before the house, gen. Lafayette thus spoke:

General Lafayette ascended the tribune, profound silence prevailed. He said, "in mounting this tribune for the purpose of expressing an opinion opposed to that of many friends of liberty, I am not yielding to a momentary impulsion, nor am I courting popularity, which I never preferred to my duty. (Cheers.) The republican principles, which I have professed throughout my life, and under all governments, do not prevent me from being the defender of a constitutional throne raised by the people. The same sentiments animate me under the present circumstances, when it is judged desirable to raise to a constitutional throne the prince lieutenant-general, and I am bound to avow that this choice the more perfectly fulfils my wishes the more I become acquainted with him. (Cheers.) I do not partake in the opinion entertained by many of my fellow citizens as to an hereditary peerage. (Hear, hear.) A disciple of the American school, I have always conceived it to be necessary that the legislative body should be divided into two chambers, differently constituted; but I have never been able to comprehend how people could be hereditary legislators and judges. I have always thought that the introduction of aristocracy into public institutions was mixing them with a bad ingredient. It is, therefore, with great pleasure that I find you occupied with a project that meets the sentiments I have professed throughout my life, and which I only now repeat. My conscience forced me to make this repetition, and declare that I hope shortly to see the hereditary peerage suppressed. My fellow citizens will do me the justice to acknowledge, that if I have always been the upholder of liberty, I have at the same time been the supporter of public order.---(Prolonged applause.)

After further discussion the propositions were adopted. The chamber of peers, however, determined that they could not join in the declaration of the deputies, annulling the creation of peers by Charles X.; but that they left the matter to the wisdom of the king. The number of peers thus reduced is 76, among whom archbishop *Cheverus* is one; admiral *Duperre's* name is the last.

Gen. Clausel has been appointed to the command of the army at Algiers. We hear nothing of gen. Bourmont.

The young men of the Polytechnic school have been much honored.

Gen. Lafayette is every where received as a kind father. He had many able co-adjutors in the great work performed, especially Lafitte and Gerard.

The new queen was becoming very popular. The minister of the United States has paid his respects to the lieutenant general of the kingdom.

Some of the late French ministers have been arrested, but Polignac has probably escaped.

Tri-colored flags were hoisted on the vessels of war at Toulon—as fast as they could be made ready! Frigates had arrived from Algiers with 30,000,000 francs in Spanish dollars and gold.

The late king and his family appear to have arrived at Cherbourg on the 9th Aug. and would speedily embark on board the American ship Great Britain---believed for Naples.

The Courier Francais says that the new king of France had already demanded of the king of England the ashes of Napoleon, from St. Helena, to be deposited in the column of the Place Vendome.

The *Indicateur* of Bordeaux states, that it has received the communication of a treaty entered into on the 20th July between M. de Polignac and the Spanish ambassador, M. d'Ofalia. M. de Polignac promises to use his utmost influence to obtain the nomination of M. d'Ofalia to the post of prime minister of Spain, and M. d'Ofalia engages in return to send 30,000 Spaniards to support the measures of M. de Polignac. They besides agree for a mutual exchange of the orders of the Holy Ghost and of the golden fleece. M. d'Ofalia further engages to do every thing in his power to have M. Aguado superseded by M. Ouvrard, as banker of the court of Spain at Paris.

The Duke of Orleans assumed the title of Philip 1st, and not VII. to discontinue feudal monarchy. On the 8th August the *moveable* national guard of Paris was disbanded with 15 days pay. The duke de Chartres is now styled prince royal.

Letter from Lafayette.

The following is the translation of a letter from gen. Lafayette, addressed to Mr. Duponceau of Philadelphia—It is dated Paris, August 8th.

"We have just accomplished, my dear fellow soldier, a wonderful revolution. I received at Lagrange on Tuesday morning, the 27th ult. the ordinances of Charles X. declaring us to be in a state of slavery. On the same evening I repaired to Paris, where I found a salutary fermentation. In a three days' conflict, the people of Paris have vanquished the royal guard, the Swiss, and the body guard; the tri-colored flag floats every where; and on the morning of the 31st I felt warranted to write to Charles X. a note, stating to him my opinion—(which he had asked through gen. Talon)—that 'reconciliation was impossible,' and that the 'royal family had ceased to reign.'

"The Parisians manifested a degree of courage, intelligence, disinterestedness and generosity, surpassing all that you can conceive. Not a single royalist, not a woman, was insulted. The people fought only those who fired at them with cannon and musquetry. The vanquished experienced a most generous humanity. The regiments of the line submitted successively to the public will.—Much blood was shed, but the people have triumphed with admirable despatch, sagacity and bravery. We came to the conclusion that, under the circumstances in which France is placed, it would be proper to rally all opinions, of the various parties, under the safeguard of a constitutional throne, with popular institutions.

We have chosen the duke of Orleans, whom I esteem more and more as I know him better. The chamber of deputies has acted as the organ or interpreter of the French people, in laying down conditions, and offering him a crown for which he acknowledges himself indebted to the will of the nation. Such then is our situation, and fifteen days have not elapsed since the ordinances appeared! I send you the short speech which I delivered yesterday. I shall continue to hold the command of the national guards of France, who are organizing in every direction. My son George is with me. Levasseur received a dangerous wound, and his life was despaired of three days ago; but he is better. Adieu—a thousand friendly wishes."

LATEST NEWS.

From London papers to the 17th August.

It is supposed that Polignac was in England. Mr. Brougham, at a late election dinner, did not scruple to mix his administration in France, with Wellington's, in England. It is probable that there will be a powerful rally of the old whig party. The duke of Wellington had given authority to contradict, in a direct public manner, the report of his being in any way connected with the course taken by the late French ministry.

One or two charges of high treason had been preferred in the French chamber of peers. All things seemed quiet in France. The new government was going on smoothly. The ministers from foreign powers had shewn no indication of hostility.

Gen. Bertrand is appointed chief of the polytechnic school, count Mole, minister of foreign affairs, the duke de Broglia, (*editor of the Globe*), minister of the interior, Benjamin Constant, chairman of the committee on legis-

lation, Guizott, minister of justice, gen. Gerard, of war.

The army of Algiers had raised the tri-color. Some of the old soldiers called out for Napoleon II, but without effect. All was quiet. Letters from Algiers were filled with bitter reproaches of Bourmont. A small French force, which had made an excursion to a village at the foot of mount Atlas had been attacked by the Cabyles, and lost 100 men. The Cabyles are negro Bedouins, who inhabit the mountains. The Arabs, 2,000 strong, had attacked a post on the sea-shore, and compelled the French to retreat into Algiers. The army has already lost from 8 to 9,000 men, killed and wounded, and the dysentery is making ravages among the land and sea forces.

The eldest son of the king of France takes the late title of his father, duke of Orleans. That of dauphin, then, is abolished. An attempt to raise the Bourbon standard in La Vendee, had failed.

The words *excellence* and *monseigneur* are hereafter to be expunged from the vocabulary of offiee, and plain *monsieur* substituted for them.

It was said that the Jesuits had destroyed their house at Acheal, under pretext of a popular commotion, in order to destroy their archives.

The movements in France had produced some ferment in the southern parts of the Netherlands, and considerable panic in the German states. The grand duke of Baden, on learning what had happened in Paris, ordered the bridge of Khel to be destroyed. Bank shares fell at Vienna more than six per cent. The policy that Prussia would pursne could not be ascertained. According to the Bordeaux papers, there was a rising in several of the provinces of Spain, but the accuracy of the accounts was doubted.

The Morning Chronicle says, there was a report that prince Metternich had poisoned himself, on receiving the news of the French revolution.

It is said that the king of Prussia had freely condemned the conduct of ex-king Charles, some time ago, and warned him of the danger in which he stood.

Much confusion prevailed at Madrid. The king and his family were in the greatest anxiety. Prompt disturbances seem to have been expected. The constitutional stone had been raised in several places. It is affirmed that a Spanish army of 10 or 12,000 men, which was stationed near the French frontier, had mounted the tri-color and marched for Madrid, and that the garrison of St. Sebastian had followed the example. A formidable insurrection has broken out in Catalonia—Andalusia is ready for any change. The liberals of Spain were in a high state of excitement—the partisans of the *adored* king were filled with terror. It may be fully expected that Spain will follow the lead of France, and that Miguel of Portugal, if he shall not run away, will meet with the punishment which his crimes have long merited.

It is openly predicted in London that the duke of Wellington's administration will not last six months longer. Powerful efforts will be made to put down the *national* church.

The first ship bearing the flag of the United States of North America, arrived at Odessa, on the 16th of July, from Constantinople. It is the Smyrna brig.

The Manchester trade was good. The demand for cotton of all descriptions had increased.

The price of the French stocks are from 5 to 6 per cent. higher than before the late revolution! The 5 per cents were 104.

There is no certain account of Charles and his family —but it was believed he was just embarking at Cherbourg. The duchess of Angouleme is said to calculate on the speedy ascent of her nephew to the throne of France.

Louis Philippe has issued an ordinance creating in the royal corps of marines three degrees of admirals. The admirals are to enjoy the same honors and pay with the marshals of France, and to be ranked with them according to the dates of their commissions. Vice admiral Duperre is raised to the rank of admiral.—Marshal Soult and admiral Duperre have also been created peers of France.

A grand public dinner was given in London in honor of the late events in France—Sir Francis Burdett in the chair.

On the 31st of July the Jeane d'Arc arrived at Naples with the dey of Algiers, his family and suite, amounting to 110 persons, of whom 58 are women. The government has consented to the dey's forming his residence there.

All the forms of the installation of the new king of France had been passed through—the chamber of peers having taken the necessary oaths, &c.

Lafayette and his son were paying much attention to the wounded, encouraging the surgeons and their patients. The total number killed in Paris during the three days fighting, is thought to have been rather less than 8,000.

ANOTHER LETTER FROM MR. BLAIR.

We are exceedingly glad to hear again from this gentleman, who is one of the South Carolina delegation in congress. He speaks bravely—and well. The people must all understand him, and, in understanding, "get wisdom." We would that every *citizen* of the United States understood the views of the present leading politicians in South Carolina—their wretched tergiversations as to things past, their violent and unhallowed purposes as to things to come!

Another great "state-rights" dinner was contemplated at Stateburg, S. C. It rather turned out what is called a "flash in the pan," though the company is said to have amounted to 800 or 1,000, and were addressed by the governor, one judge and sundry colonels, whose speeches we have not seen. Messrs. Blair, Hayne, Hamilton, gen. Sumter, Mr. Turnbull, Dr. Cooper, Mr. Henry L. Pinckney, &c. were all invited to this dinner, but did not attend. They all sent *excuses*—some of which are before us. It seems to us that some did not think the people yet quite ripe for rebellion, civil war, and a servile insurrection. They, at least, would know *why* these things are to be encountered. They have been told much about the oppressions of the tariff—but every body knows that the demand for cotton is continually on the *increase*, and the price of all sorts of goods, said to be "taxed," *declining*—and they wish a little time to find out the *grievances* under which they labor. And

> "Their opticks must be good, I ween,
> To see what is not to be seen.

The following is the excuse of Mr. Blair for not attending the meeting alluded to. The *italics* are presumed to be his own, for so we find them in the "Camden Journal,"—we have marked a few words in SMALL CAPITALS. "The *great* Achilles arming in his tent" is a fine figure, as applicable to the *nation* of South Carolina, when we regard her *efficiency* for warfare, circumstanced as she is, and the quantity of force that she can spare for the field.

Red Oak camp, Aug. 10, 1830.

Meesrs. O. S. Reese, J. Mayrant jur. and *H. A. Middleton.*

Gentlemen.—I have received through your polite address, "a resolution of the citizens of Stateburg and its vacinity, inviting myself, as your immediate representative in congress, together with senators Smith and Hayne, to meet you at a public dinner, to be given in Stateburg on the 19th instant."

The uncertainty of being able to meet you has thus long delayed my answer.

I have now to state, that an *unavoidable* occurrence calls me into North Carolina on the day previous to your meeting. You will therefore perceive the impossibility of my attendance.

I beg you to make my kind acknowledgments to our fellow citizens of Stateburg and its vicinity, for the honor they intended me, and assure them it can only be forgotten when I cease to exist.

As I address you under *peculiar circumstances*, I hope I shall be pardoned for making a few suggestions (which I presume may be applicable to the objects of your meeting,) and accompaning them with a sentiment which I desire may be presented to the meeting.

My opinions in relation to the encroachments of congress---the present excitement in South Carolina, and our prospects of redress from the present administration, and the subsequent proceedings of congress, have already been made known to you through the medium

of the public prints. Until the change which I thought things took for the better, at the very close of the last session of congress, I was as much disposed for *prompt* action on the part of South Carolina, as any of you. I now think it is *not the time to act*. Most of my reasons for this opinion have heretofore been given. I will only now suggest, as an additional one, *the difference of opinion* THAT EXISTS THROUGHOUT THE STATE, upon this subject. WE ARE DIVIDED AMONGST OURSELVES, not so much as to the *mode*, but with regard to the *time* of action. To my mind, this consideration forms one of the strongest reasons for further delay and forbearance. South Carolina need not recede from her attitude or her doctrines; but simply *give time* for the realization of those hopes so confidently founded, by many, on the recent proceedings of the president, and the late indications of congress. If finally, those hopes prove vain and delusive, it will still be time enough for South Carolina to take THE REMEDY IN HER OWN HANDS, and 'grapple with the giant.' In the mean time, *let her prepare herself for action*. Let her lop off all useless offices, curtail extravagant salaries, and abandon all useless expenditures, (amongst which I would enumerate the item for FREE SCHOOLS.) Let her also pay off her state debt and fill her coffers with plenty of HER OWN CASH; and last, though not least, let her re-organize and classify her MILITIA. HOARD UP ARMS AND MUNITIONS OF WAR; and bestow a RIGID DISCIPLINE on that class composing the elite of her MILITARY FORCE. Let her do this and every thing else that may be necessary TO PREPARE HER FOR THE CONTEST. And when it is known to the general government that the mouth of old *Thersites* has been stopped *from railing*, and that "THE GREAT ACHILLES IS ARMING IN HIS TENT," you may expect to have your rights and your interests respected. Under this state of things, I would present you the following sentiment:

The freemen of Carolina, they may be annihilated, they *never can* be conquered.

I am respectfully, gentlemen, your obedient servant,
JAMES BLAIR.

SOLDIERS OF THE REVOLUTION.

War department, pension office, Sept. 14th, 1830.

SIR: Your communication of yesterday has been received. In reply thereto, I have to inform you, that the acting the secretary of war directs me to say, that there can be no impropriety in communicating to you the decision in the case of col. George Gibson's regiment, with a view of giving it publicity. That regiment by an act of the Virginia legislature, was ordered to join the continental army, in lieu of the 9th Virginia continental regiment, in October, 1777. All who served in that regiment after that period, are considered as continental troops, within the meaning of the act of March 18, 1818, and, if in indigent circumstances, are entitled to pensions.

I am respectfully, your obedient servant,
J. L. EDWARDS.

Major J. H. Hook, U. S. army.

To the editor of the Richmond Enquirer.

Washington city, September 14th, 1830.

SIR: It has been decided by the secretary of war, that col. George Gibson's regiment was on "continental establishment," after October, 1777, and consequently, the officers and soldiers are entitled to the benefits of the pension law of March, 1818.

A similar recognition has been made by Mr. Ingham; and, consequently, all who served in that regiment, to the end of the revolutionary war, are entitled to the provisions of the law of May, 1828, which gives retrospective pensions, from March, 1826. Col. Gibson raised his regiment in Virginia. His head quarters, while recruiting, were (I believe) at Williamsburg. Although Gibson's regiment fought through the whole of the revolution, and was engaged in many important battles, they have never participated in the benefits of the pension laws, until the secretary's decision in January last.

If you will give publicity to this decision in any shape you deem best, it may materially benefit the few survivors of that regiment.

Enclosed are forms No. 1—for applicants who served nine months consecutively—pensions under that law do not retrospect, but commence from the completion of the papers. Form, No. 2, are to be complied with by those who served to the close of the war.

Very respectfully, your ob't serv't,
J. H. HOOK, *major U. S. army.*

MASSACHUSETTS CLAIM.

Executive department of Massachusetts, Boston, June 9, 1830.

To the honorable John H. Eaton, secretary of war.

SIR,—I have been advised of the passage of a law by congress, approved by the president of the United States, making provision for the settlement and payment of the claim of Massachusetts against the general government, for the services of the militia of the state during the last war. From the reference of the subject to your direction in the auditing of the accounts upon the principles of allowance recognized in the law, I trust I shall be pardoned in addressing to you, very respectfully, a request to be informed at what time the business may receive attention. I beg leave to add, that an early disposition of it is very earnestly desired; the claim has already suffered great delay. It is hoped also that as it has twice passed under a careful and critical examination and revision by a most able and intelligent officer of the treasury, (Mr. Hagner) it may be satisfactory to yourself to adopt this report in favor of the allowance, to the extent to which the charges were found admissible, upon the principles on which the auditing was conducted, and that the items and vouchers only, which respect the residue of the claim, upon the more liberal provisions of the law recently passed, will be the occasion of further inquiry.

Allow me, sir, to submit to your consideration, that it distinctly appears by the former reports of Mr. Hagner, and indeed is sanctioned by the expressed opinion of every committee of congress which have been charged with the subject, and more especially by the vote of the senate, at the last session, that, *to the amount of the appropriation* now made, the services were rendered either in repelling actual invasion, or under a well-founded apprehension of it, and were proper and necessary to that end. It is most confidently believed, that it may be in the power of the state also to show, that a further allowance is due upon the same principles. The objection which was formerly interposed by the national executive to the payments for the services, from the ground assumed by the governor of the state in relation to the command of the militia, is happily no longer within the scope of the investigation. The law authorizes the liquidation and payment, without reference to the political controversy which took place at that period.

I pray you to believe, sir, that it would afford particular satisfaction to the government and people of Massachusetts, if your favorable reply to this communication should authorize an expectation, that there would be no further need of auditing that part of the account, which has been reported as within the principles of allowance adopted upon a former reference to the department, and that an early attention might be accorded to the examination of the remainder, which requires to be brought by evidence, and explained, within the application of the provisions of the recent statute.

With sentiments of great respect, I have the honor to be, sir, your obedient servant, LEVI LINCOLN.

Department of war, June 16th, 1830.

SIR—Your letter of the 9th inst. relative to the settlement of the claims of the state of Massachusetts under the law of the last session of congress, has been received, and will be laid before the secretary of war immediately on his return to the seat of government—until which time nothing can be done in regard to it. Very respectfully, your obed't. servant. P. G. RANDOLPH.

His excellency Levi Lincoln, gov. of Massachusetts.

Franklin, (Tenn.) 18th Aug. 1830.

SIR—I have received your letter directed to me at Washington on the subject of the Massachusetts claim.

Nothing of rule or regulation was made upon this subject previous to my leaving the city of Washington, on the 15th of June. On my return (next month) it shall be amongst the first subjects to engage my attention. I have written to the 3d auditor to have the accounts pre-

pared and in readiness, under the general heads directed by congress, that, on my arrival, it may be acted upon.

Very respectfully your most obedient,

J. H. EATON.

THE CHEROKEE CASE.

Opinion on the right of the state of Georgia to extend her laws over the Cherokee nation, by William Wirt, esq.

The Cherokee nation of Indians have submitted, for my opinion, the following

CASE.

Long before the arrival of the Europeans on this continent and from time immemorial, they have been a sovereign nation, rightfully under the sole and exclusive government of their own laws, usages and customs, within their own dominions, of which dominions, except so far as altered by treaty, they have ever been and still are the absolute lords and masters, acknowledging no earthly superior. The arrival of the Europeans on this continent produced no change in their political condition. They were never conquered. They have had various wars with the white people, which have been followed by treaties of peace, of which the white people were, always, as desirous as themselves. They have also made various cessions of their lands to the white people by voluntary treaty. But they have always been respected and treated with, by the British government, by the state governments, by that of the United States, under their articles of confederation, and lastly by that of the present United States under their federal constitution, as a sovereign people, to be governed, exclusively, by their own laws, usages and customs, and owing no allegiance either to the state governments, or to the government of the United States, nor amenable to their laws, except so far as they have engaged by their own voluntary treaties, to respect those of the United States, made to give effect to those treaties. If the United States declare war against a foreign country, the Cherokees are not bound to take a part in that war unless they choose to do so of their own accord. If a civil war takes place among the states, the Cherokees are not involved in that war, nor responsible for its consequences. They have nothing to do, either with the state governments, or the federal government; had no voice in the formation of their respective constitutions, are not represented in their councils, are not called upon to contribute to the expense of those governments, which are, to them, foreign governments, and have never, heretofore, been required or expected to obey the laws of these governments, nor in any manner to intermeddle with them, or to be affected by them. By various cessions of their lands, made from time to time, by treaties and for valuable considerations, their once extensive domain has been much reduced, but is still sufficiently large for all their purposes. This domain lies within what are called the chartered limits of four of the states of the union, the states of Georgia, North Carolina, Tennessee, and Alabama. Within this domain, they are still sovereign and governed exclusively by their own laws, having never been considered or treated as citizens of these states, or of the United States, having none of the rights of such citizens, but, on the contrary, in all their treaties with the United States, being continually spoken of as contradistinguished from citizens of the United States. They have had wars with the United States which have been terminated by treaties of peace; they have never been regarded as traitors in such wars, which they must have been if they were citizens of the United States; but, on the contrary, the treaties of peace which have followed such wars have borne all the characters and have contained all the stipulations which are usual in such treaties, when made between two sovereign nations who have been engaged in war. Their first treaty with the United States was that made at Hopewell, in 1785. The preamble to this treaty, as it stands in the English language, in which it was reduced to writing, states that the commissioners of the United States "*give peace* to all the Cherokees, and receive them into the favor and protection of the United States on the following conditions." The Cherokees have understood that a certain description of men, whose trade it is to deal in words, and who, therefore, think more of words than things, have caught at the expression "give peace" as an admission on the part of the Cherokees, that they were a conquered people, and were suing for peace, at the feet of their conquerors, on such terms as they should be pleased to dictate; but these word-mongers can know very little of the history of that time and that transaction, or must suppose themselves addressing others equally ignorant upon this subject, when they venture to draw such an inference from these words. To those who know the truth of the case, this inference is mere smoke. Every white man, decently acquainted with the history of his own country, knows that the United States came out of the war of the revolution in a state of extreme exhaustion, and were the first to sue for peace from the Indians, who had been engaged in that war on the British side. The United States asked peace of the Cherokees, and after having refused it for some time, at length, acceded to it, and it was established by this treaty. As to the words employed in the preamble, it is idle to attempt to draw an inference of fact from them so directly opposed to the well known historical truth of the case. In making this treaty, the Cherokees, according to their habit, looked to the substance of the thing, not to the form. The expression in the preamble, on which this quibble is raised against the known fact, is in a language not then understood by the Cherokees. The treaty was arranged by interpreters, and the thing understood was, that there was to be peace by mutual consent, and this was the only thing understood. The Cherokees well knew that they were inferior to their white brethren in the arts of peace as well as the science of war. Aware of this, they were willing to profit by their protection. Before the revolution, they had declared themselves under the protection of the British, and the king of England was called their "great father." And the United States having now become an independent nation, they were willing to place themselves, in like manner, under the protection of the United States. But protection is one thing and subjection another. The first they were willing to receive; if the last had been demanded, as a condition of the treaty, the hatchet would not have been buried at Hopewell in 1785. But the question whether they were a conquered people or not, who were thenceforth to lose their separate national existence, to renounce the rights of self-government, to become citizens of the United States, and to be governed, in common with their other citizens, by the laws of the United States or of the individual states, is not to be answered by a reference to these few words only, thus foisted into the preamble in a language unknown to the Cherokees. This question is to be answered by an appeal to the stipulations of the treaty, themselves. This is substance, not form. And to these the Cherokees fearlessly appeal in proof of the fact that they were treated with and acknowledged as a separate sovereign nation, who were to have the exclusive possession of their own territory, designated in that treaty by metes and bounds, free from any interruption by the citizens of the United States, from whom the treaty clearly distinguishes them; and they are regarded by that very treaty as

clothed with that pre-eminent badge of sovereignty, the right of making war; even of making war upon the United States.

The first and second articles in the treaty are in these words: "The head men and warriors of all the Cherokees shall restore all the prisoners, citizens of the United States or subjects of their allies, to their entire liberty; they shall also restore all the negroes, and all other property taken during the late war from the citizens, to such person and at such time and place, as the commissioners shall appoint."

2d. "The commissioners of the United States, in congress assembled, shall restore all the prisoners taken from the Indians during the late war, to the head-men and warriors of the Cherokees, as early as is practicable."

Does this mutual exchange of prisoners import a conquered people, who had lost their national sovereignty by right of conquest? On the contrary it is the stipulation of equal sovereigns, who had been engaged in lawful war, and finds a place in all treaties of peace among the sovereigns of Europe.

Again: the 8th article is in these words: "It is understood that the punishment of the innocent under the idea of retaliation is unjust, and shall not be practised on either side except where there is a manifest violation of this treaty, and then it shall be preceded first by a demand of justice; and if refused, then by a declaration of hostilities."

Is it possible to reconcile this right of declaring regular war against the United States with the idea that the Cherokees were a conquered people, who had surrendered their national sovereignty, and had agreed to become amalgamated with the citizens of the United States? What right could citizens of the United States have to levy war against the United States? Such an act would be treason, not regular war.

The 4th article begins thus: "The boundary line allotted to the Cherokees for their hunting grounds, between the said Indians and the citizens of the United States, within the limits of the United States of America, is and shall be the following:" in this striking manner distinguishing between the Indians and the citizens of the United States, and separating them by a marked boundary.

The 4th article having designated the boundary, the 5th provides "that if any citizen of the United States shall attempt to settle on any of the lands within that boundary, he shall forfeit the protection of the United States and the Indians may punish him or not, as they please." Thus again recognizing the distinction between the Indians and citizens of the United States, and recognizing, at the same time, the sovereign right of the Indians to give the law and to inflict punishment within their own boundaries. The 6th article provides for the delivering up, by the Indians, of any Indian or other person residing among them, or who shall take refuge in their nation, who shall have committed robbery or murder, or other capital crime on any citizen of the United States. The 7th article contains a correspondent provision for the punishment of any citizen of the United States or person under their protection, who shall have committed the same sort of crimes on the Indians. The 10th article gives liberty to all traders, citizens of the United States, to go to any of the tribes or towns of the Cherokees, to trade with them, and stipulates that they shall be protected in their persons and property and kindly treated. The 11th stipulates that the said Indians shall give notice to the citizens of the United States of any hostile design of the neighboring tribes against them. Thus, the distinction between the Indians and the citizens of the United States pervades the whole treaty. The Cherokees are, in every part of this national compact, treated as a separate and sovereign nation, clothed with the right of self-government within their own territory, and the high and solemn right of making peace and war with the United States, with an express stipulation that the citizens of the United States who intrude upon them shall be entirely at their mercy. Some of the officers of the United States claim this treaty as a still subsisting treaty, and insist on all its stipulations in their favor; while another high officer of the United States, on the occasion of a recent punishment inflicted by the Indians under the 5th article, has denied the authority of the treaty, on the ground that it was "*made more than forty years ago!*" The Cherokees presume that the treaty is either in force, or not in force; it cannot be in force as against them, and, at the same time, obsolete where it works in their favor. As to its having been made more than forty years ago, they have not been favored with a reference to that work on the law of nations, from which the very enlightened officer in question has derived the principle that a treaty, unlimited in its terms, becomes obsolete after forty years: more especially when, as in this case, the treaty has been recognized by the parties as a subsisting treaty, down to the present time. The language with which the 4th article opens—"the boundary allotted to the Cherokees for their hunting grounds"—has given occasion to further quibbles on words which scarcely deserve notice. The word *allotted* is, again, supposed to imply and admit *a conquest* of the Cherokees, and that the United States as their sovereigns, were making them a gracious and temporary loan of these lands for the mere purpose of hunting on them, until the United States should be pleased to resume them. The criticism either means this, or it means nothing of any account or value. But it is a mere hypercriticism on words which is refuted by every provision of the treaty, by the practical construction under it, by every subsequent treaty and its practical construction, and lastly, by the courts of the United States themselves, whenever they have been called to consider the character of the Indian title to their lands. How would these phrases, which are deemed so significant in the English language, have been interpreted to the Cherokees, who, from their ignorance of the language, could have been negotiated with only through an interpreter? What other idea could have been conveyed to them, by any interpreter, than that the boundary about to be described was to be the boundary between them and the citizens of the United States? As the boundary itself, the only material thing in question, accorded with their own notions of their rights, was it to have been expected of them to take exception to the niceties of expression in a language which they did not understand, in order to guard against the future possibility of quibbles which they as little understood? Quibbles, too, in a treaty, whose object and essence is plain and honest good faith, and a treaty with unenlightened Indians, who were invited to place themselves under the protection of the United States? As to their ground being called *hunting grounds*, the designation was proper: the Cherokees were, then, in the *hunter state*, and, at that time, had no other use for these grounds but for the support and chase of their game. They have since, on the solicitation, and under the tuition and assistance of the United States, become agriculturalists: and their right to use their grounds for agriculture has been acknowledged in solemn treaties: yet on this phrase, "hunting grounds," "in a treaty made more than forty years ago," an argument is attempted to be raised, that their only right to these grounds is for the purpose of hunting on them. After this treaty of Hopewell, another war broke out between the United States and the Cherokee Indians, and this was terminated by the treaty of Holston in 1791. The fe-

deral constitution of the United States had then been adopted; and this treaty was negotiated by commissioners appointed and instructed by president Washington, by and with the previous advice and concurrence of the senate of the United States. In the messsage of consultation which he sent to the senate on that occasion, he states that the white people had intruded on the Indian lands, as bounded by the treaty of Hopewell, declares his determination to execute the power entrusted to him by the constitution, to carry that treaty into faithful execution, unless a new boundary should be arranged with the Cherokees, embracing the intrusive settlement, and compensating the Cherokees therefor.

And he puts to the senate, among others, this question:

3. *Shall the United States stipulate solemnly to guaranty the new boundary which shall be arranged?*

The senate answer—

Resolved, That in case a new or other boundary than that stipulated by the treaty of Hopewell shall be concluded with the Cherokee Indians, that the senate do advise and consent *solemnly* to guaranty the same. This consultation took place in August, 1790; and in consequence of it the treaty of Holston was made, on the 2d July, 1791. It is a treaty between the Cherokee nation on one side, and the United States on the other, *treating as sovereigns.* The obnoxious words, "the United States give peace," do not occur here. The first article is, "there shall be perpetual peace and friendship between all the citizens of the United States of America and all the individuals composing the Cherokee nation of Indians."

By the second article the Cherokees acknowledge themselves to be under the protection of the United States of America and of no other sovereign whosoever, and stipulates that they "will not hold any treaty with any foreign power, individual state, or with individuals of any state."

They thus placed themselves exclusively under the protection of the United States, and not of any one state; and their political capacity to treat with foreign powers is admitted, by the stipulation required of them that they will not exercise this right. Is not this an additional admission on the part of the United States of the sovereignty of the Cherokee nation? The third article again stipulates a mutual exchange of prisoners, in the style constantly in use among equal sovereigns who are concluding a war by a treaty of peace.

"Article 4. The boundary between the citizens of the United States and Cherokee nation is and shall be as follows"—[the article then proceeds to designate the boundary, provides for the marking of it, and] "in order to extinguish forever all claims by the Cherokee nation or any part thereof" to the lands lying out of this boundary, the compensation is fixed, and the lands are ceded by the Cherokees.

The 5th article stipulates that the citizens and inhabitants of the United States shall have a free and unmolested use of a road through the Cherokee territory. The Cherokee territory is thus acknowledged to have been so exclusively theirs, that the citizens of the United States would have no right even of passage through it, unless the Cherokees had conceded this right by treaty.

The seventh article contains the guaranty which president Washington had proposed to the senate, and which the senate had advised. The article is in these words:

"Article 7th. The United States solemnly guaranty to the Cherokee nation, all their lands, not hereby ceded."

"Article 8th. If any citizen of the United States, or other person not being an Indian, shall settle on any of the Cherokee lands, such person shall forfeit the protection of the United States, and the Cherokees may punish him or not, as they please."

"Article 9th. No citizen or inhabitant of the United States shall attempt to hunt or destroy the game on the lands of the Cherokees; nor shall any citizen or inhabitant go into the Cherokee country, without a passport first obtained from the governor of some one of the United States or territorial districts, or such other person as the president of the United States may, from time to time, authorize to grant the same."

By the 10th article the Cherokees bind themselves to deliver up any of their own people, or others, fugitives from justice, who shall have committed crimes against citizens of the United States, and have taken refuge in the nation. Why was this necessary if their territory belonged to the jurisdiction of Georgia?

By the 11th article it is provided that "if any citizen or inhabitant of the United States, or of either of the territorial districts of the United States, shall go into any town, settlement or territory belonging to the Cherokees, and shall there commit any crime upon or trespass against the person or property of any peaceable and friendly Indian, which, if committed within the jurisdiction of any state, or within the jurisdiction of either of the said districts, against a citizen or white inhabitant thereof, would be punished by the laws of such state or district, such offenders shall be subject to the same punishment, and shall be proceeded against in the same manner, as if the offence had been committed within the jurisdiction of the state or district to which he or they may belong, against a citizen or white inhabitant thereof." Here is a distinct and decisive admission, by the United States, that the "towns, settlements, and territory belonging to the Cherokees," are not within the jurisdiction of any state or territory of the United States, nor subject to the laws of those states or territories; and that but for this consent on the part of the Cherokees by treaty, that citizens of the United States committing crimes within their jurisdiction might be punished by the laws of their own states or territories, those citizens would have been regularly punishable for such crimes only by the jurisdiction of the Cherokees, against which they had offended.

The 13th article of the treaty stipulates that, in case of violence on the persons or property, of the individuals of either party, neither retaliation or reprisal shall be committed by the other, until satisfaction shall have been demanded of the party of which the aggressor is, and shall have been refused. Here is the right of war by the Cherokees against the United States again admitted.

The 14th article, again, stipulates that the Cherokees shall give notice to the citizens of the United States of any hostile design which may have been formed against them.

Art. 14th. That the Cherokee nation may be led to a greater degree of civilization, and to become herdsmen and cultivators, instead of remaining in a state of hunters, the United States will from time to time furnish, gratuitously, the said nation with useful implements of husbandry; and, further to assist the said nation, in so desirable a pursuit, and at the same time to establish a certain mode of communication, the United States will send such and so many persons to reside in said nation as they may judge proper, not exceeding four in number, who shall qualify themselves to act as interpreters. These persons shall have lands assigned to them by the Cherokees for cultivation for themselves and their successors in office; but they shall be precluded exercising any kind of traffic. In this manner the U. States have continued to treat with the Cherokee nation, as

a sovereign nation, down to the present time. In the year 1808, the Cherokee nation expressed to the United States their inclination to divide themselves into two nations. Part of them, about one-third, were disposed to continue the hunter state, and, with this view, to remove to the west, where game was more abundant, on lands to be assigned to them by the United States in exchange for their proportion of the lands east of the Mississippi; the other part were disposed to remain, "to engage in the pursuits of agriculture and civilized life in the country they then occupied"—where 'they proposed to begin the establishment of fixed laws and a regular government." Their wishes were communicated to the president of the United States who favored the scheme. Under his permission and sanction part of them removed, in the year 1809, to the Arkansas, and the separation was carried into complete effect by the treaties of 1817, 1819; it being perfectly understood, agreed, and encouraged by the United States, that those who should remain would "engage in the pursuits of agriculture and civilized life," under the protection of 'fixed laws and a regular government," to be established by themselves.

These admissions of their separate sovereignty as a nation, of their exclusive right to govern themselves within their own territory, and the inviolability of that territory, thus distinctly made by all their treaties with the United States, have been no less distinctly made in practice, and this distinction has been made throughout all past time. Neither the king of England, nor his colonial governors, nor the several states, nor the United States, have ever pretended a right to extend their laws over the Cherokee people within their own territory, until the 19th December, 1829. On that day, the state of Georgia passed a law entitled "An act to add the territory lying within the chartered limits of Georgia, now in the occupancy of the Cherokee Indians, to the counties of Carroll, Dekalb, Guinnett, Hall and Habersham, and to extend the laws of this state over the same, and to annul all laws and ordinances made by the Cherokee nation of Indians, and to provide for the compensation of officers serving legal process in said territory, and to regulate the testimony of Indians, and to repeal the 9th section of the act of 1820 on this subject." The first five sections of the act are employed in distributing the Cherokee territory among the five counties named in the title. The 6th section extends all the laws of Georgia, both civil and criminal, over the portions of the Cherokee territory so annexed to those counties. The 7th abolishes the Cherokee laws, and declares that in all cases of indictment or civil suits, it shall not be lawful for the defendant to justify under any of those laws, and forbids the courts of the state to permit those laws to be given in evidence. The 8th makes it unlawful for the Cherokees to attempt to prevent the individuals of their own nation from enrolling for emigration. And the 9th subjects them to indictment and punishment before the state courts for the offence described in the former section. The 10th makes it unlawful in the Cherokee nation to prevent the individuals of that nation from selling or ceding their lands to the U. States for the use of the state of Georgia, (there being no such a thing as *individual* title to lands in the Cherokee nation; but the whole of those lands, according to their laws, belonging to the entire nation as a nation.) The 11th annexes the punishment of imprisonment for four years to the foregoing offence. The 12th and 13th make it murder in the executive, ministerial or judicial officers of the Cherokee nation to inflict sentence of death, though in conformity with their crown laws, declaring all those officers so concerned in carrying our own laws into effect, principals; and subjects them all to indictment and death by hanging.

The 14th extends the jurisdiction of the Georgia magistrates into the Cherokee territory, and authorizes the officers who shall carry the process for service to call out the militia of the state to overcome resistance.

And the 15th section declares "that no Indian or descendant of any Indian residing within the Creek or Cherokee nations of Indians, shall be deemed a competent witness in any court of this state, to which a white person may be a party, except such white person resides within the said nation." On this case I am asked the following

QUESTION.

Has the state of Georgia a right to extend her laws over the Cherokees, within the Cherokee territory?

OPINION.

The answer to this question depends on the political relation which the Cherokees hold to the state of Georgia. If they are citizens of that state, residing within her jurisdiction, they are unquestionably subject to her laws; if not, it is just as clear that the state of Georgia has no authority to extend her laws over them. How is the question of the political condition of these people to be settled? I know of no other mode of doing it than by an appeal to their history. Looking to this history, we find that they composed a part of the aboriginal inhabitants of this country, and, in their origin, they were, unquestionably, a sovereign people, owing allegiance to no other earthly potentate. Has this condition been altered by any thing that has since occurred? We are not informed, by history, of any such alteration.

The European held that the title of the Indians to their lands underwent a change by force of that discovery; that is to say, that the particular power of Europe which made the first discovery, acquired the right to purchase these lands of the Indians, in preference to and in exclusion of all other discoverers. But this change of the Indian title to their lands was not considered by the powers of Europe as altering the political condition of these people. With regard to their lands, "they were admitted" says chief justice Marshal, in the case of Johnson and McIntosh, "to be rightful occupants of the soil, with a legal as well as just claim to retain the possession of it, and to use it according to their own discretion;" and with regard to their political condition, Great Britain, the prior discoverer of this part of the continent, continually *treated* with these people, as a *sovereign people*, and acknowledged, in practice as well as theory, their exclusive right to govern themselves by their own laws, usages and customs, upon the territory of which they held the present right of possession, and which they and their heirs forever were entitled to hold, exclusively, until they chose to surrender it by treaty. The same right which had been held by Great Britain, and no other, passed to the United States by the revolution; and the same rights and no others have been uniformly asserted by the United States. The various treaties which have been set forth and referred to in the case stated, and to which the state of Georgia, as one of the United States, was a party, contains the most unequivocal admissions that these people are not citizens of the United States, and therefore cannot be citizens of any one of the states; that the territory within which they dwell belongs to them as a separate people; that, within this territory, they are the sovereign and only law-givers, and these treaties exhibit them as clothed with attributes of sovereignty utterly irreconcileable with the idea of their being citizens of the United States, or of any one of the states. Such, for example, as the right of declaring war against the United States on a demand and refusal of a redress of injuries.

The state of Georgia, it has been said, has a right to legislate over all people within her territory. But the Cherokee Indians are not people within her territory. The territory which they occupy is not, at present, a part of the territory of Georgia. Her title is that only of the ultimate domain, after it shall have been relinquished by the Indians. At present, it is the territory of the Indians. "They are the rightful occupants of the soil, with a legal as well as just claim to retain the possession, and to use it according to their discretion." And although their right is lightly spoken of, because it is a mere right of occupancy, yet it is to be remembered that it is an exclusive right of occupancy, a right which stands solemnly guarantied to them by the United States, a right which belongs to them and their heirs forever, a right which they may alienate, or not, at their pleasure, subject to no other restriction than this, that they can alienate only to the United States of America.

The territory which the Cherokees occupy is not, at present, therefore, the territory of Georgia, considered as property. But the material question, with reference to the inquiry before us, is, whether this territory be within the jurisdiction of Georgia. If it be not, it is clearly not subject to her laws. And this question is directly answered by the whole scope and term of the treaties which have been cited and quoted in the case prefixed to this opinion. The 11th article of the treaty of Holston contains an express and decisive admission of the principle implied in all these treaties, throughout all their provisions: to wit—that the territory of the Cherokees is not within the jurisdiction of the states, nor subject to their laws. This treaty is recognized as in full force by all the subsequent treaties. Georgia, as one of the United States, is a party to it, and is estopped to deny what she has thus solemnly admitted. The fact that the territory occupied by the Cherokees lies within the chartered limits of Georgia establishes nothing with regard to the question under consideration. That charter granted the title of the monarch who gave it, and nothing more; and neither himself nor his grantees considered it as conferring any right to take from the Indians their lands, by force, much less to abolish their laws, usages and customs, and to extend the British laws compulsively over them. The impressions of the British monarch, or rather the several British monarchs, in succession, since the discovery by Cabot, including the particular monarch who gave the charter of Georgia, George II, with regard to their relation to these people and their lands, has been already stated. They considered the Indians as the present owners of the land, and that these lands could be rightfully acquired in no other way than by voluntary surrender by treaty, made by the whole nation in full council. They treated with them as sovereigns possessed of the exclusive right of self-government. They styled them their Indian allies and friends; and never, in any age, was attempt made, or a right insinuated, by any British monarch to abolish their own laws, and to substitute, by compulsion, those of Great Britain. So much for the understanding of the monarch who gave the charter of Georgia, and of all his predecessors and his successors, with regard to the rights and authority of the British crown, over the Indians and their lands. But let us look to the understanding of the original grantees of this charter, on this same subject.—Governor Oglethrope led the first colony into Georgia under that charter. He arrived at the present site of Savannah, in 1733, and how did he proceed? Did he consider his charter as conferring a right to expel the Indians from their possessions by force, or to abolish their own laws among themselves and enforce the British laws upon them? Far from it. "A treaty was held with the Creek Indians, to whom the lands were admitted to belong, and the cession of a considerable tract was obtained from them." First vol. Marshall's Life of Washington, ch. IX. Thus the very first step under this charter, by the original grantees, was an admission that those lands belonged to the Indians, and were to be gained only by cession; and was a practical admission of the sovereignty of the Indians, by the act of treating with them as sovereigns; and of necessity was an admission of their exclusive right of self-government, for they could not be sovereign, without such right. Will it be said that these admissions were wrung from the infant colony by their want of physical strength to assert their rights against the *vis major* of the Indians? But the same admissions continued to be made after the colony had acquired maturity and power to assert all their rights. The British Colonial government, under this charter, had some respect for their own character, and for the opinion of the world. So anxious were they to avoid every appearance of taking an unfair advantage of the ignorance of their Indian allies and friends, that, in a treaty of cession, made shortly before the American revolution, they take care to declare on the face of the treaty, that it was made in consequence of the solicitation of the Indians themselves, who wished to raise money for the payment of their debts. Such was the practical construction of the British monarch, who gave this charter, and of the grantees under it, prior to the American revolution; and the same, as has been shown, has been the practical construction by the United States (Georgia included) since the revolution.

The charter, it is presumed, has not experienced a new vegetation, and put forth new rights, within the last few years. The position of Georgia, herself, is, that she took all the rights of British colonists under that charter, with regard to these people, granted; and it has been shown by the concession of the British colonists, themselves, that they had no right to dispossess the Indians, by force, or to interfere with their right of self-government.

Although this territory, then, does lie within the chartered limits of Georgia, I am of the opinion that the people of Georgia have no right to disturb the Indian possession of these lands, nor to interfere with their government. The United States' lands, pledged by the solemn guaranty of a subsisting treaty, twice sanctioned by the senate of the United States, to protect the possession of the Indians.

By the same treaty, it is stipulated that no citizen of the United States shall even cross the Indian boundary, without a passport first obtained from the governor of some one of the states or territorial districts, or such other person as the president shall appoint. Is a writ from a court, or a warrant from a magistrate of Georgia, such a passport from the governor as the treaty contemplates? Or is the service of such process upon the Indians, with their own territory, under the authority of the state of Georgia, such a visit, under a passport, as the parties of this treaty manifestly contemplated? Shall the inviolability of the Indian territory have been consecrated by the treaty, against even a peaceable visit, without a passport: and can it be believed to have been within the contemplation of the parties, that the state of Georgia should be at liberty to dismember the whole territory, at her pleasure, to amalgamate it with her counties, and to spread her officers over it, in every direction, for the apprehension and punishment of these Indians, for obedience to their own laws? This can scarcely be believed by any man, who is not blinded by prejudice or passion, to have been the intention of the parties to this treaty. And, if so, it must be manifest that every officer in the state of Georgia, who crosses the Indian boundary in execu-

tion of her law, violates that guaranty, which the faith and honor of the United States stands pledged to make good.

It is said, that to permit them to govern themselves on those lands, would be to permit a government within a government, which is represented as a monster in politics, never heard of before. But the objection is not true in point of fact; it is not a government within a government, in the sense of the political axiom to which the objection alludes. The absurdity which the axiom repels is that of two distinct and equal sovereignties affecting to operate, at the same time, upon the same portion of territory. But that is not the case here, for the Cherokees do not pretend to any right of government beyond the limits of the territory whose exclusive possession they hold, under the guarantee of the United States; and as long as the neighboring states respect that guarantee, they have no government within the Indian limits; for they cannot exercise the powers of government there, without a direct and continued violation of the Indian right of possession. It is only by begging the question and assuming the right of the neighboring states to govern the Indians by state laws, within the Indian possessions, that the political solecism of a government within a government is produced. Instead of proving the right of the states to overleap the guaranty of the treaty, this right is assumed; and having thus gained foothold within the Indian limits, the exclusive right of government on the part of the states is, then, maintained on account of a political solecism created solely by this unwarranted assumption. For it is manifest that so long as the Indians confine their government within their own limits, and the states operate only on the territory exterior to those limits, there is no conflict of laws, no political paradox, *in imperium no imperio;* each moves in its own separate sphere, without the slightest collision with the other other.

If by a government within a government, it be meant that the territory all around the Indians is under the government of several of the states, this is no political paradox, and is not at all the meaning of the axiom in question. It is a thing of every day's occurrence, for a small state to be surrounded by the territories of another sovereignty. It was the condition of all the small republics in Europe, of Venice, of Florence, of the Hanse Towns, of Switzerland, and is now the condition of every district, arsenal, dockyard, fort and hospital, under the exclusive government of the United States, within the bosom of the states. I see not why the government of congress, within the District of Columbia, should not as well be considered a government within a government, because surrounded by the state authorities of Maryland and Virginia, as that the self-government of the Cherokees within their limits should be considered a government within a government, because surrounded by the state authorities of Georgia, Alabama, and Tennessee. In both cases, it is matter of compact: and so long as the compact is respected, there is no collision of authorities, but the political relations of the parties are as separate and distinct, and their action as harmonious, as if they were parted by oceans. The mutual annoyance resulting from the neighborhood of the parties is a consideration of mere expediency, and does not touch the question of right; it is to the last, alone, that any opinion is confined. But on this objection of expediency, it may be observed, that, in our own society, the inconveniences of bad neighborhood are often severely felt; yet they are not considered as authorizing the stronger of the two to expel his neighbor, or to strip him of his legal rights, in order to get rid of his vicinity.

If the right of the states to govern the Cherokees within their borders to be rested on the position that the ultimate dominion of the lands, now possessed by the Cherokees, belongs to these states, and that, as soon as these lands shall be evacuated by the Indians, the possession will fall to the states, the same is equally true of the District of Columbia; for if that district shall ever be evacuated by congress, there is no doubt that the several portions of it will revert, respectively, to the states of Maryland and Virginia. But this future contingent consequence does not at all impair the present authority of congress to govern the district, while it remains in their occupancy, nor does it, in the mean time, incommode, in the slightest degree, the action of the state governments around them.

If this right be rested on the position assumed by the supreme court, in the cases of Fletcher, and Peck, and McIntosh, and Johnson, that the states own the present fee in the lands occupied by the Indians, and may grant those lands, subject to the Indian occupancy; it is to be remembered that, according to the same decision, it is only subject to the Indian occupancy that the states can grant those lands, and that the grantees of the states, though they take the whole title of the states, cannot interfere with the Indian possession, until the title shall be extinguished by a voluntary cession on their part.

By these cases, therefore, the principle is established that these states, themselves, cannot interfere with the possession of the latter without their consent. How, then, can they parcel out the Indian lands among the coterminous counties, and incorporate them with these counties for the purpose of government? How can they tax the Indian lands in common with their own, and sell them for non-payment of taxes? How can they enter and sell them for debts? How can they regulate the conveyances of these lands, and, above all, how can they send their constables, bailiffs, sheriffs, inquests, *posse comitatus,* and military officers, into the Indian lands, for the service of process and the enforcement of their government, without a continual invasion of the Indian possession? According to the cases on which the opposite argument lies, the states have no right to divest or to disturb the Indian possession against their consent, and the case of Johnson and McIntosh goes farther: for, in that case, the supreme court contemplate not only an exclusive possession of their lands by the Indians, and "a legal as well as a just claim to retain that possession, and to use it according to their own discretion," but they contemplate, also, the exclusive action of the Indian laws within the Indian territory, free from any power to control by the courts of the United States.

In resisting the right of an individual to acquire a title to these lands by a purchase from the Indians, they say —"If an individual might extinguish the Indian title for his own benefit, or, in other words, might purchase it, still he could acquire only that title. Admitting their power to change their laws or usages, so far as to allow an individual to separate a portion of their lands from the common stock, and hold it in severalty, still it is a part of their territory, and is held under them by a title dependent on their own laws. The grant derives its efficacy from their will; and if they choose to resume it, and make a different disposition of the land, the courts of the United States cannot interfere for the protection of the title.

"The person who purchases land from the Indians, within their territory, incorporates himself with them, so far as respects the property purchased; holds their title, under their protection, subject to their laws. If they annul the grant, we know of no tribunal which can revise and set aside the proceeding."

If the right of a neighboring state to extend these laws into the Cherokee nation be defended upon the notion that they are a conquered people, in the first place the fact of such a conquest either by Great Britain or by those states cannot be nominated; and the fact of such a conquest by the United States its denied. If there ever was a conquest of them at all, it was by the latter. But suppose for argument, that there was such a conquest by the United States; it is for the conqueror alone to say how far he will extend the rights and powers of conquest. Conquered nations have often been left in the undisturbed possession of their lands and their own laws: and if the

conqueror chooses so to leave them, what other power shall dispute his will? This has been done in the present instance. It was done by the treaty of Hopewell in 1785, and by that of Holston in 1791. The provisions of these treaties have been already detailed, and it has been shown by that detail that the U. States acknowledge the Cherokees to be a sovereign nation, clothed with attributes of sovereignty, too unequivocal and decisive to be mistaken; that they not only acknowledge the territory in their possession to belong to them; but have bound the faith and honor of the United States to guarantee that possession against the world: and that they have acknowledged that territory to lie without the jurisdiction of any state or district of the United States. If, therefore, the United States be the conquerors of these people, they have set limits to their own rights of conquest by the treaty of peace: by that treaty, they have left these people a sovereign people in the exclusive possession of their lands and their laws, and have guarantied that possession to them. And since the conqueror himself the sole arbiter on the occasion, has set these limits to his own rights of conquest, what other power can break through those limits in right of that conquest? Can Georgia do it? But she was one of the United States, by whom the supposed conquest was made, and, of necessity a party of the very treaty which limited those rights of conquest. Her claim, therefore, is inconsistent with her own acts: and the very moment that she exhibits those treaties as evidence of conquest, she furnishes the proof which destroys her right to legislate over these people by right of conquest.

It is understood as having been urged, among other things, in opposition to this course of reasoning, that these treaties are, in fact, not treaties in the sense of the law of nations: Why? because treaties are compacts between sovereigns—and it is said that the Cherokee nation is not a sovereign. But this is begging the question. Before the invasion of this country by Great Britain, they were unquestionably sovereigns, for they had no earthly superior. When and by what cause were they divested of this character? By discovery? But this was a principle agreed on only by the discoverers themselves, the nations of Europe, for the adjustment of their own respective rights. As against the aborigines it was nothing; it gave no right. It has never been pretended as giving the discoverer any right as against the Indians; unless the exclusive right to acquire the title of the aborigines, in preference to and in exclusion of all other discoverers, be a right against the Indians themselves. Did they lose their sovereignty by conquest? Great Britain never maintained such a pretension. On the contrary, she treated with them as sovereigns, and left them in the undisturbed possession of their lands and their laws, and the right of self-government. But, under our constitution, who is to judge of the sovereignty of a nation, with regard to its capacity to enter into a treaty? The treaty making power is lodged with the president and senate of the United States. The power of treaty involves, of necessity, the power of deciding on the sovereign capacity of the other party, to enter into such a compact. But, in the present instance, this has been decided, again and again, by the president and senate of the United States, the only tribunal to which our constitution refers the decision of this question. They have decided it, by making and confirming many treaties with these people; treaties of peace at the close of their wars—treaties of cessions—treaties regulating the intercourse between the contracting parties; treaties, on the faith of which, those states, who were parties to them through their regularly constituted organs, have derived vast and most valuable acquisitions of territory. If these compacts be not treaties, what are they? What name can be given to them which will authorize either the United States, or the states individually, to violate them at pleasure, consistently with the faith, justice and honor of this country?

But, if the right of conquest be still the ground of this pretension, is this the time to assert it? Or is one state of the union the party to assert it? All pretensions of conquest have been long since closed by treaties of peace and amity: On the faith of these treaties, the Cherokee nation is now in profound peace with the U. States, the only war-making power under our constitution: and, by these treaties, they are left and guarantied in the possession of their remaining lands and their self-government. What new right of conquest has arisen? Has there been a fresh war? None is pretended. What ground is there then, for the pretentions of any new right of conquest? What offence has been given by the Cherokee people, to call up such a question? They have, it seems, framed a constitution, modelled a form of government, and made laws for themselves. But what offence is there in this? Their right of self-government was never before disputed: Their mode of doing it is, consequently, a question for themselves alone. Why is it more offensive in them to have a written, rational constitution and laws, than to have them unwritten, barbarous and resting in tradition, which they have had, heretofore, and which they have constantly enforced without any objection from the state of Georgia? But there is something even yet more unjust and inhuman in this objection. We have been laboring, ever since the adoption of our constitution, to civilize these people. All the states represented in the federal government, have pushed this subject of civilization, with all their power, and at great expense. We have sought to civilize and to Christianize them, on the avowed motives of humanity to them and safety to the neighboring whites. With the Cherokees we have so far succeeded that they have adopted our manners, our dress, our agricultural and mechanical pursuits; they have imitated our form of government and our laws, and Christianity, it is said, has made considerable progress among them. And the result now is, that we have quarrelled with our own success, and fallen out with this people for yielding to our solicitations. For how was the civilization, which we have been so long and so strenuously urging forward, to show itself, otherwise than by the very fruits it has borne, and at which we now take offence? Is it a crime or offence in them to have yielded to our own exertions to civilize them? If it be a crime or offence in them, and furnish even a pretext to strip them of their rights, who is to blame for it? Would it not be most perfidious, and an offence on our part that would "smell to Heaven," to have sought and labored at the civilization of these people for the last forty years, and this, too, under the fair guise of humanity and religion, and the moment that we have accomplished this purpose, to make that very civilization, which is our own work, a ground of offence in these people, and an excuse for driving them from their possessions or enslaving them on their own territory? What treaty have they violated by their constitution and laws? No treaty had prescribed to them any form of self-government. This matter was left wholly to themselves. No treaty had prohibited them from making a government for themselves. On the direct contrary, the treaty of 1817, founded on the previous conferences between the president and their nation in 1808-9, leaves them in possession of their lands, for the express purpose of "engaging in the pursuits of agriculture and civilized life," and "beginning the establishment of fixed laws and a regular government." And again the treaty of 1819, in allusion to these same measures, waves the delay of the census for the express purpose that the Cherokees may the sooner "commence those measures which they deem necessary to the civilization and preservation of their tribe." In having established a government and fixed laws, then, they have done no more than the United States have, by their late treaties, acknowledged their authority to do; and shall one of these states, itself a party to these treaties, affect to take offence at proceedings which they sanction by their own treaties?

But these treaties furnish a still more weighty argument against the authority of the states to interfere with the Cherokee laws, or to displace them by the laws of Georgia. The right of the Cherokees to establish a government and laws of their own, is here sanctioned and authorized by two treaties made with the whole United States, the state of Georgia being one of them. With these treaties still in force, is it competent to the state of Georgia alone to destroy a work which all the states have sanctioned and authorized by solemn treaties? Can one state revoke or violate a treaty made by the whole? These treaties admit the right of the Cherokees to establish a government and laws for themselves, within their own territory. Georgia alone (herself one of the parties to those treaties) now denies this right, and makes it highly penal on the Cherokees either to obey or to enforce their own laws. Thus these treaties and the laws

of Georgia are directly repugnant. Which shall stand? The constitution of the United States answers this question. Treaties are declared to form a part of the *supreme* law of the land; and the constitution commands that "the judges in every state shall be bound thereby, any thing in the constitution or laws of any state to the contrary notwithstanding."

But if their constitution and laws could be justly considered as offensive, who, under our constitution, has the right to complain, and to punish these people for this transgression?

To congress alone belongs the right to declare war, as well as to regulate commerce with the Indian tribes. Is this consistent with a right in the neighboring states to extinguish these tribes on the lands which they occupy?

For the law which has been placed before me amounts to an extinguishment of them as a tribe of Indians. Not only are their own laws abolished by it, it being made highly penal in them either to enforce or obey them: but the laws of the state exclusively are extended over them, and what is still worse, by the same law these oppressed people are stripped even of the right of giving evidence in a court of justice against their oppressors, which is the common privilege of every citizen of Georgia, however humble, unprincipled, or despicable. While, then, the constitution, laws, and treaties of the United States acknowledge this tribe as a sovereign nation; while congress alone has the power to declare war against them, and to regulate commerce with them; and the president and senate alone have the power to treat with them; while by the second article of the treaty of Holston, they are placed expressly "under the protection of the United States and of no other sovereign;" and while they are yet holding their lands under the pledged faith of the United States, given by that treaty, here is one of these same states which claims the right of entering their territory by force; of extinguishing the political existence of the whole tribe at once and forever; and, at the same time, of disfranchising them even of one of the poorest and commonest privileges of the humblest citizens of Georgia that of giving evidence in a court of justice against their oppressors!

If these things are to be permitted, what becomes of the stipulations of protection and guaranty under the second and seventh articles of the treaty of Holston?

Again: One of the conditions on which the state of Georgia ceded her western lands to the United States, in 1802, was, that the latter would extinguish the Indian title to the lands within her remaining limits, "as soon as it could be done peaceably and on reasonable terms." Here is an admission of the existing title of these Indians and an agreement that it is to be extinguished by the U. States. When and how? As soon as it can be done peaceably and on reasonable terms. That is to say, that no force is to be employed in the case. The Indians are, therefore, to be at liberty to cede these lands or not at their pleasure; and if they choose to cede them, the terms shall be such as shall receive their assent. The United States have gone on to redeem this pledge as fast as the Indians have been disposed to cede. These people are now disposed to cede no more of their lands, but to retain such as are yet left to them. Can the state of Georgia require the United States to compel these Indians to relinquish their lands? Certainly not: for the express stipulation is, that the extinguishment of title shall be peaceably made, and on reasonable terms. Does it consist with the title of the Indians, thus admitted, that the state of Georgia herself shall enter forcibly on their possessions, and drive them out, at the point of the bayonet; or what is the same thing, potentially, that she shall put it to their option either to remove or to remain and live in subjection and slavery to Georgia on so much of their own lands as she shall be pleased to assign them? This question can admit of but one answer.

It has been said that several other states of the union have legislated over the tribes of Indians within their chartered limits; and it is insisted that the state of Georgia and the other states within whose boundaries the Cherokees dwell, have the same right of legislation with regard to them.

Before the authority of these precedents can be allowed, to establish the right of legislation in the present instance, it will be necessary to inquire—

1. Whether the tribes over which the other states have thus legislated were, at the time, acknowledged by the United States to be sovereign nations and were under the protection of the United States by treaty, with a solemn guaranty by treaty of the exclusive possession of their lands.

2. Whether such tribes were in full force and strength as a nation, as the Cherokees now are, or whether they had melted away to a few individuals, who had no fixed habitation, but wandered about in the white settlements, begging a subsistence from the charity of the whites.

3. To what extent the legislation of the states was extended over them; whether it went to annihilate their own laws, usages, and institutions, altogether, and to subject them to the whole mass of state laws, civil and criminal, to extinguish their existence as a separate nation, and to blend them by force completely with the whites under the degrading disability of giving evidence in a court of justice. In the state of New York, one of the states whose example has been quoted, all this has been disavowed. In a recent case in that state, (Goodell *vs.* Jackson, 20, Johnson's reports, 693, decided in 1822), the highest court of that state have, with one accord, pronounced the Indian tribes within the state to be a separate people, alien and sovereign tribes, and not citizens of the United States, not born within the allegiance of the state, nor owing it allegiance, but owing allegiance only to their own tribes.

4. But what is more important than all, it must be enquired whether the question of the right of these states to legislate over the tribes within their chartered limits has been ever raised and decided by a competent tribunal in favor of that right; or whether these ignorant and comparatively impotent people (the Indians) have silently submitted to this legislation, because unable to resist it by force, and too poor and ignorant of their rights to submit it for discussion to an impartial and enlightened court of judicature. The fact of the exercise of a power is no proof of its right. Instances of usurpation by the strong over the weak have abounded in every age and every nation; but they have never been considered as establishing the right of the usurper, or justifying by the precedent a right of usurpation in others. Augustus, at the close of those wars which made him the emperor of Rome, turned out the peaceable landholders of Italy from their possessions, and gave them to his victorious legions; but the precedent has never been considered as establishing the right and justice of the procedure, or as worthy of imitation by any just prince or state.

On every ground of argument on which I have been enabled, by my own reflections, or the suggestions of others, to consider this question, I am of the opinion—

1. That the Cherokees are a sovereign nation, and that their having placed themselves under the protection of the United States does not at all impair their sovereignty and independence as a nation. "One community may be bound to another by a very unequal alliance, and still be a sovereign state. Though a weak state, in order to provide for its safety, should place itself under the protection of a more powerful one, yet, according to Vattell, (B. 1, chap. 1, sec. 5 and 6), if it reserve to itself the right of governing its own body, it ought to be considered as an independent state." (20 Johnson's reports, 711, 712, Goodell *versus* Jackson.)

2. That the territory of the Cherokees is not within the jurisdiction of the state of Georgia, but within the sole and exclusive jurisdiction of the Cherokee nation.

3. That consequently, the state of Georgia has no right to extend her laws over that territory.

4. That the law of Georgia which has been placed before me is unconstitutional and void. 1. Because it is repugnant to the treaties between the United States and the Cherokee nation. 2. Because it is repugnant to a law of the United States passed in 1802 entitled "an act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers." 3. Because it is repugnant to the constitution, inasmuch as it impairs the obligation of all the contracts arising under the treaties with the Cherokees, and affects, moreover, to *regulate intercourse with an Indian tribe*, a power which belongs exclusively to congress.

WILLIAM WIRT.

Baltimore, June 20th, 1830.

NILES' WEEKLY REGISTER.

FOURTH SERIES. No. 6—VOL. III.] BALTIMORE, OCT. 2, 1830. [VOL. XXXIX. WHOLE No. 994.

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES & SON, AT $5 PER ANNUM, PAYABLE IN ADVANCE.

☞A much valued compliment has been paid to the senior editor of the REGISTER, in the numerous impressions that have been made of his essay, entitled "Politics for farmers." He supposes that from 30,000 to 40,000 copies of it have already been spread before the people, and is told that numbers have read it with deep attention.

Many things have since presented themselves to our mind which ought to have been noticed in that essay, notwithstanding our great disinclination to increase its length—but these shall be noticed on a future occasion; and we shall also revise and further explain the values of the home and foreign markets, the former being worth at least twenty-five times more than the latter, though including all the crops of cotton, tobacco and rice exported. Many have expressed their surprise at the facts stated—but we shall bring them out in bolder relief.

NEGRO CLOTHS. We are much amused to see in some of the southern papers, tremendous complaints about the high price of negro cloths. Such as sold last year for 22 cents, are now worth from 40 to 45 cents. The south forced the duty on coarse wool; and, as we have an hundred times told the people of that district of our country, *they are compelled to pay that duty!* They acted like the fellow, who, entrusted with the gauging of molasses at Havana, cut off a couple of inches of his rod, and was "tarnation" angry, when, instead of committing a fraud in favor of himself, his cunning had been exerted for the benefit of the honest merchant who had confided in his integrity. Let them abandon left-handed and iniquitous legislation, or suffer. They have nearly destroyed a very interesting home-manufacture, by which they were supplied with goods cheaper than they ever before had obtained them. They will yet learn wisdom.

It is laughable, however, to observe that they attribute the rise of price to "*Mr. Mallary's last bill having cut off the facilities for smuggling.*" Honest and patriotic! Any *reason*, even false swearing by British agents, rather than the true cause of this "oppression" complained of.

AMERICAN FLOUR IN ENGLAND. Extract from a letter of *W. & J. Brown, & Co.* dated Liverpool, Aug. 17—Bonded flour is 34*s.* the extreme price. The next week the duty is certain to be 1*s.* 7*d.* or possibly 7*d* per brl. Free is nominally 35*s.* a 36*s.*, and wheat has declined materially. The weather is cold, and we have had considerable rain the last few days, so that the prospects for a good harvest are not at present flattering. The wheat is said to be sustaining injury in some districts by the rust.

August 18th.—The weather was very wet yesterday, but the corn market was again lower, and flour was offered, deliverable 21st inst. duty paid, at 34*s.* It is astonishing how little American flour sells for consumption, there seems to be a strong and decided prejudice against it. The weather is fine to-day, and being the change of the moon may perhaps be more settled.

Another letter from the house of *Bolton, Ogden, & Co.* of the same place, says—

"The present year already exceeds the estimates that were made in the early part of it; and it has almost invariably been so, whenever this market has been encouraging. From the middle of July until the present time, the weather has upon the whole been seasonable, and an opinion is setting strongly in, that wheat, barley, and oats will be full average crops. In the south of England considerable progress has been made in the harvest, and in this neighborhood it is commencing. In the last three weeks wheat has declined in this market from 10*s.* to 12*s.* per quarter, but as the returns of the average prices are from two to three weeks behind the actual state of the market, the last are still high. Flour in bond is selling at 30*s.* to 32*s.* per barrel; and it is a most remarkable fact, that of all the flour imported in the present year, only about 30,000 barrels have yet gone into consumption, and in the ports of this country there are now in bond about 500,000 quarters of wheat, 600,000 quarters of oats, barley, and other grain, and 200,000 barrels of flour, the duties on the whole of which are likely to be paid in the next fortnight. The effect on the market of such a large quantity being liberated at once, and coming into competition for sale with the new grain, will, we apprehend, cause the prices still further to decline; so much so, that by the end of Sept. the duties for home consumption will again be prohibitory, and under present circumstances we cannot advise shipments of any kind of grain or flour to be made to this country."

☞It is thus that the shippers of American flour to England are generally baffled by the operations of the British duty—by fair or foul weather, *sun-shine* or *rain*! The market is not worth having. Much more money has been lost than gained, by shipments of flour to England.

COAL. The New York Commercial, in introducing the following article from the Philadelphia Bulletin to its readers, states that anthracite coal is abundant in that market, and the supply may exceed the demand.—"There is a superabundance of all other kinds of fuel, and the best of Liverpool coal can be bought by retail afloat from $8 50 to $9 per chaldron." [What's a chaldron, as to weight? As *Americans*, we know not the meaning of the term.]

Coal cheaper—Symptoms of decline in the price of coal have been perceptible, and it has fallen from $6 50 to $5 50 per ton in small quantities. Large sales have been effected at $4 75 and $5. When it gets down to $3 50 it will be a fair price, leaving out of the account the profits of wild speculators. Nearly thirty-eight thousand tons have descended the Schuylkill alone, this season. It begins already to be felt that the supply may exceed the demand.

☞Such is the universal effect of competition.—Coal-lands and mining have been a *mania* in Pennsylvania—a South-Sea bubble speculation; some have realized large fortunes by it, and others have been, or will be, ruined—but a *public benefit*, in the reduced price of the article, necessarily follows. A *monopoly* of coal is no more practicable than a monopoly of *cotton* or of its *manufacture*; and a high price for either soon raises up a competition which brings down the value to the lowest point which the article will bear.

THE PRESIDENT, invited to a public dinner at Knoxville, declined, in the following terms:

Knoxville, September 7th, 1830.

GENTLEMEN: I am truly thankful for the flattering sentiments in favor of my administration, which accompany your invitation to me, of this date, to partake with the citizens of Knoxville and its vicinity, of a public dinner on my return to the seat of government. It would afford me the highest pleasure to accept this mark of their esteem, did not my public duties, requiring me to proceed without delay, render it impracticable.

In the course of this evening I shall be happy to shake you by the hand, and such of my fellow citizens as may choose to honor me with the opportunity, and trust, tho' but a feeble return to the cordial welcome you tender me in their behalf, that it will be more acceptable than any more formal one at the expense of the public interests committed to my charge, in my power to make.

I offer to you, gentlemen, individually, and those you represent, the homage of my sincere friendship and regard. Your fellow citizen,

ANDREW JACKSON.

Messrs. *Wm. Park, Luke Lea, and others, committee.*

And in the evening, he was waited on by many gentlemen—after which he proceeded to Mr. Park's house, where the ladies of the town were assembled, and spent a pleasant evening.

☞The president arrived at Washington on Saturday last, in good health.

DOMESTIC MANUFACTURES. We believe, notwithstanding the recent embarrassments of many of our most enterprising manufacturers, that the prospects of those now engaged in the business have not been brighter, since the receipt of the news of peace with Great Britain, than they are at present. Our cotton manufacturers appear to be aware of their error in keeping the business in a single channel, and they are correcting it. The machinery, instead of running, as formerly, almost wholly on coarse sheeting and shirtings, is employed in almost as many branches as there are mills. The consumption of calico cloths has increased to a great extent, some idea of which may be formed from the fact that the spindles now running in the village of Fall-River, are hardly capable of supplying cloth for the single calico factory established there. The manufacture of domestic cambries has been commenced. One establishment at this place, consumes about eight thousand dollars worth of cloth per week, and another, equally large, is now going up at Providence. This is a new branch of business, and bids fair to employ quite a number of mills.

Besides all this, the manufacture of cotton duck, has been commenced in this vicinity, with every prospect of success, and if capitalists will remain satisfied with sure sales and small profits, we have no doubt but they will all succeed in the very teeth of John Bull's competition.

[*Pawtucket Chronicle.*

[In a little while, English *calicoes* will be as rare in the United States, (except of the very superior qualities) as American *flour* is in England; which latter John Bull will not take in exchange for his flimsey manufactures. The American calicoes are far more substantial and better than the British. Instead of being made out of the poor cotton of *Surat* and *Bengal*, they are manufactured of the cotton of *South Carolina* and *Georgia*, &c. which must tend to "*oppress*" the planters of these states!]

SERVILE COPYINGS. There is a paper published in London called "Bell's Life in London," and one in New York, though published by a Mr. *Pratt*, is called "Bell's Life in New York." In London, a person whose name was "Tattersall," or *Tatter-all*, had a large establishment for the sale of horses, carriages, &c. frequented by all the first rate and lordly jockies and sportsmen—and so we have a Tatter-all in New York. Some London cock-neigh, when he first saw a copy of the *American* steam-boat on the Thames, called it a "steamer," supposing that steam could not be applied to any other purpose, never having read or heard of such a thing!—and so we in Baltimore have a "steamer," being a boat—on board which we never spent one cent, nor ever will, except of absolute necessity, while the *cock-neigh* name supercedes the appellation given by our countryman FULTON.

STRANGE ALLUSION. Mr. Lewis, a member of congress from Alabama—the gentleman of a large size and powerful voice, who, in his place, at the last session, pronounced every pretending friend of gen. Jackson, a "*traitor to the cause*" who should not vote for the Indian bill, has lately played the "table-orator," as Mr. Walsh demurely would say, in Dallas country, Ala. He called "internal improvement" a "vile system of swindling and plundering," and most heartily sent the tariff *down below*. He said—

"Should gentlemen, however, still be dissatisfied, pray like *Thersites* for more light, *I* would give them an illustration," &c.

Now, according to Homer, Ovid, &c. *Thersites* was the most *deformed* and *illberal* of the Greeks during the siege of Troy—a *vain babbler*, whom Achilles knocked down and killed with his fist, because of his impertinence.

MAINE. The Portland Argus gives 30,151 votes for Mr. Smith, the administration candidate for governor, and 28,552 to Mr. Hunton, anti-administration, and late governor, and claims a majority of 4 Jackson men in the senate, and of 25 in the house of representatives.

The vote last year was for Mr. Hunton 22,438, Mr. Smith 22,217. So that about 14,000 votes more were taken in this year than in the last.

The members of congress elected are—for Kennebeck district, George Evans; Oxford, Cornelius Holland; Somersett and Penobscot, James Bates; Washington and Hancock, Leonard Jarvis; Cumberland, John Anderson; York, Rufus McIntire—no choice in Lincoln—for Mr. Kavanagh, (ad.) 3,111, Mr. Shaw, (anti) 2,933, and 420 scattering.

NEW YORK. Messrs. Throop and Livingston have accepted the Herkimer nominations for governor and lieut. governor of New York. It is not yet known whether gen. Root will decline the nomination at Salina—but our opinion that he will, is strengthened by the fact stated, that gen. Pitcher, named at the same convention for lieut. governor, has declined his nomination.

KENTUCKY. It will be seen by the following account of the proceedings at a public meeting in Winchester, Kentucky, that it is proposed to hold a state convention on the 9th day of December next at the capitol in Frankfort, to nominate a candidate for the presidency.

CONVENTION.

At a meeting at the house of Paul I. Evans in Winchester, on the 13th day of September, 1830, judge *Clark* was called to the chair, and *Benj. H. Buckner* was appointed secretary. The following preamble and resolution were unanimously adopted:

Whereas, the friends of the union of the states and the American system, having deemed it expedient to hold a convention of delegates, from all the counties in the state, at the capitol in the town of Frankfort on the 9th day of December next, to take into consideration the next presidential election, and to nominate such person to that office as will secure the triumph of the American system and the union of the states, against the new and alarming doctrines of dissolution and nullification:

Therefore resolved, That the friends of internal improvements, and the protection of domestic industry in Clark county, be respectfully requested to attend at the court house in Winchester at 1 o'clock on the 1st day of our next circuit court, for the purpose of choosing delegates to represent this county in said convention.

Resolved, That these proceedings be published in the next Winchester Republican and the next Reporter.

JAMES CLARK, *ch'm.*

B. H. Buckner, sec'y.

SOUTH CAROLINA RAIL ROAD. We rejoice to learn that all the shares in this company, making a capital of $600,000, have been taken. The road is to extend from Charleston to Hamburg; and, happily, there is now so much experience in the making of such roads, that the cost of them may be generally ascertained with a great deal of accuracy. Steam-power will soon be chiefly used upon them. Various experiments made with Mr. Cooper's "steam car" on the Baltimore and Ohio rail road, would seem to leave no doubt on the subject. With a pressure on the boiler of only one eighth part of its calculated resistance, a large car, laden with 23 persons, was propelled at the rate of fifteen miles an hour, and it is thought that the velocity may be safely increased to 25 miles. The gentlemen who made the excursion were highly delighted with this "successful experiment" of an American mechanic.

Charleston, Sept. 21. Tuesday the 14th having been appointed by the commissioners, Messrs. Thos. Bennett, John Johnson, jr. Wm. Lucas, Elias B. Hort, and Jona. Lucas, jr. for awarding the premiums offered by the South Carolina canal and rail road company, for the best cars moved by horse and manual power.

The first car submitted (constructed by Messrs. Dottorer and Detmold) was propelled by a single horse; and being the only one moved by horse power submitted for trial, was subjected to the standard of weight and speed as laid down by the commissioners. The distance established was 2½ miles from *Charleston* lines and to return.

The weight carried, including car and horse, was 7,684 lbs.

The trip up was performed in 15m. 30sec. being 9 miles, 312 yds. per hour.

Do. down in 12m. 15sec. being 12 miles, 311 yards, per hour.

The difference in these results is to be ascribed to the elevations in the road from town, being in some places at the rate of 17 feet per mile, and the horse used very inferior in action and power.

The second was the Pioneer, directed by Mr. Addison.

The third was constructed and directed by Mr. Ridgway, both moved by manual power, employing 4 men each, with two to relieve alternately.

The same distance established as performed by the horse car, with the following results:

	M.	S.
The Pioneer's trip up was performed in	17	25
Do. down do	16	20
Mr. Ridgway's car, went up in	20	47
Came down in	16	50

Both cars carrying the same weight, and including 29 persons, were estimated to carry 6,900 lbs. each.

The premium of $200 was awarded to Messrs. Dotterer and Detmold, and that of $100 to the Pioneer, under direction of Mr. Addison.

THE SOUTHERN AMERICAN STATES. As we heard nothing from these states but of contests between generals and factions—civil wars and the desolation of provinces, we have felt but little interest in their concerns, hoping that the people might become wearied with the misrule of their military and religious chiefs, and quiet both, as the necessity of things would seem to demand. It is ridiculous to speak of liberty while the *sword* governs and a *national* religion remains established. These naturally run into an unholy alliance against the rights of man. We speak without reference to any sect of religionists—whether Roman Catholic or Greek, Protestant or dissenting—of Omar or Ali—Hindoo, Burmese, Chinese, Japanese, or worshipping the Grand Lama—whether having serpents, or stumps, or stones for deities—for we regard all national religious establishments as founded on a common iniquity, and know that a "corrupt tree cannot bring forth good fruit." The grand mistake of the people of Mexico and South America was in this respect, which, really, has been the parent of the greater part of the evils which they have suffered.

Mexico, it is said, is becoming more settled, yet armed hostile bands are not quieted. An extensive plan of assassinating gen. Urdaneta and his friends, together with our minister col. Moore and the British secretary of legation, is reported to have been discovered at *Bogota*, and Urdaneta was about to leave a country where the poinard has so large a dominion. Bolivar yet remained, and kept up the fermentation by his presence. It was thought that he was in great danger of assassination. Many of the provinces were in the hands of *nullifiers*, and the people are as unhappy as the opponents of *nullification* would wish them to be. From *Buenos Ayres* we hear of revolts and battles and mobs, in the provinces, among which there was no sort of harmony. In *Chili* the rival chiefs have regular battles, and that fine country is rapidly passing to a state of ruin. *Peru* is distracted and impoverished, and its affairs are most miserably managed. We have not lately heard any thing from *Bolivia*—but our last accounts placed it in a like unhappy condition. This must needs be the case every where, when security for person and property cannot be found. The husbandman will not plant, nor the artizan labor, except for the supply of instant wants, when it is more than probable that another will enjoy the fruits of his toil.

BOSTON. The "Courier," under the head of "commerce crippled," says—Since the first of September, only twenty days, sixty-four vessels from foreign ports have entered this port, the duties on their cargoes amounting to $400,000. About the same number have entered coastwise.

MR. WEBSTER has been much abused by some, because professionally employed against the actors in the late horrid murder at Salem—as though, by the power of his intellect and force of his eloquence, he was to break down all law and evidence that might favor the conspirators! But the "New Hampshire Patriot" seems to hold a very different opinion, and says—"It would be a sad joke if the immortal Daniel, who, it was said a few days since, was "swinging a ball round his head, ready to settle it upon the forehead of his victim," should not succeed in getting a culprit hanged whom every body knows deserves it."

So there is no such thing as pleasing every body.

THE AMERICAN FARMER. We ought to have stated that this valuable periodical, so long and ably conducted by John S. Skinner, esq. has been sold to Mr. I. Irvine Hitchcock, by whom it is now published. The editorial department is filled by *Mr. G. B. Smith*, a gentleman whose interesting essays on the culture of silk have made him generally known to the community. He is fully competent to the task he has assumed, and we are assured, that, under his control, the "Farmer" will not lose its well-earned reputation.

ANTI MASONIC. We neglected in our last to notice the adjournment of the anti-masonic convention which was lately held at Philadelphia. A full account of the proceedings has not reached us—but, it appears that, among others, the following resolution was passed, after considerable debate, some being opposed to mixing political questions with anti-masonry—

"*Resolved*, That it is recommended to the people of the United States, opposed to secret societies, to meet in convention, on Monday the twenty-sixth day of September, 1831, at the city of Baltimore, by delegates equal in number to their representatives in both houses of congress, to make nominations of suitable candidates for the office of president and vice president, to be supported at the next election; and for the transaction of such other business as the cause of anti-masonry may require."

MEDITERRANEAN SQUADRON. The Paris Journal des Debats publishes the following extract of a letter from Algiers, under date of July 31:—

"A corvette and frigate of the United States of America have anchored near our admiral's ship. It is reported that they came to be informed if it is true that the French wish to attack Tripoli, where their consul has been insulted as well as ours. We are assured that if such should be the intention, their squadron, which is at Mahon, will combine their efforts with the vessels under M. de Rosanel. Nevertheless, the French have been displeased with the conduct of the commanders of these American ships. They gave no salute, and, without communicating with the admiral, they despatched their boat on shore. The admiral was obliged to send very quickly after them a boat, to prevent them from disembarking, and to refuse an entry to the port.

"What more increases the unpleasant feelings of our etat major, is the circumstance of the American frigate being the Java, the crew of which had last year, at Mahon, a quarrel, in which M. Menyard, an officer of the French brig Faune, was killed."

[We very much doubt the object of the visit of our vessels, as stated, or that the proper courtesies were not observed by them; but the article is inserted to shew its *feeling*.]

SALE OF SHEEP. *From the* (Ohio) *National Historian.* An obliging friend who attended the sale, has handed us the following statement.

Sale of Mr. Dickerson's sheep. On the 10th inst. this valuable flock of merino sheep was offered for sale, at Steubenville, to a large and respectable assemblage of people, from this and the adjoining states. Bids were quick and spirited; manifesting on the part of all, an eagerness to obtain a share of those valuable animals;—and though the prices obtained were low, it must be recollected that a year ago, it would have been impossible to effect a cash sale of that number and quality of sheep, at almost any price. The late advance, however, in the price of wool, has given an impetus to the business of wool growing, which promises a handsome profit to

those engaged in it, and it is yet to be hoped that this branch of American enterprise will not be suffered to languish away for want of governmental protection.

About 1,200 ewes and wethers, of the 1st and 2d qualities, 2-5 of which were wethers, sold for an average of $3 16 per head. Another lot of about the same number, of 3rd and 4th qualities, brought an average of, for ewes $3 25, and for wethers, $1 63; 5 ewes and 5 bucks, of the 1st quality, sold for $2 50 per head, 45 bucks, (principally yearlings, small, and poor) sold at, from $5 to 40; 8 of the best averaged $22 50.

Considerable advances were offered on some of the above prices to purchasers, after the sale, by persons who had failed in suiting themselves.

[It is a *national* misfortune that so capable and worthy a man as Mr. *Dickerson* has been compelled to part with his flock of sheep—We only hope that the fruits of his long-continued exertion and care to improve the breed of his flock, will be emulated by those who have obtained parts of it.]

VIRGINIA GOLD. Mr. John Lewis, of Spottsylvania, a scientific gentleman, has communicated to the editor of the Richmond Enquirer, many important facts in relation to the gold region in Virginia, which extends like a belt through Spottsylvania and some of the contiguous counties. The gold is found on the surface, and in a stratum of quartz; but the most gold in quantity rests upon slate and enters its fissures. In this region gold is diffused over large surfaces, and is not sufficiently in mass to make mining productive of profit, excepting a very few locations richer than the others. The method of obtaining the gold is by filtration or washing of the earth, and by an amalgam of quicksilver. Foreign and northern capitalists are said to have been attracted to this region—and, as the richer mines fall into their hands, more scientific methods of obtaining the precious metal may be resorted to with success.

THOMAS JEFFERSON'S LETTER. In the works of Thomas Jefferson, now in a course of publication by Messrs. Gray & Bowen, at Boston, is the following letter to his name-sake Thomas Jefferson Smith.

"This letter will, to you, be as one from the dead. The writer will be in the grave before you can weigh its counsels. Your affectionate and excellent father has requested that I would address to you something which might possibly have a favorable influence on the course of life you have to run, and I too, as a name-sake, feel an interest in that course. Few words will be necessary, with good dispositions on your part. Adore God. Reverence and cherish your parents. Love your neighbor as yourself, and your country more than yourself. Be true. Murmur not at the ways of Providence. So shall the life, into which you have entered, be the portal to one of eternal and ineffable bliss. And if to the dead it is permitted to care for the things of this world, every action of your life will be under my regard. Farewell.

Monticello, February 12, 1825.

STEAM EXPLOSION. *New York, Sept.* 24. Between 5 and 6 o'clock yesterday afternoon, a disastrous explosion took place at the iron manufactory of Mr. Robert M'Queen, in Duane street, which, we regret to state, was attended with the loss of human life. The steam engine used for the fusion of metal, burst, with tremendous force and completely shattered the building, the roof having been torn off and the fragments scattered in every direction. The rupture in the boiler took place about four feet from the head, and the upper part of it, weighing about five hundred pounds, was carried across the street, into the second story of the house No. 19 Cross-street, the front of which was entirely destroyed; and a female named Margaret Jacobs, who was standing in the room at the time, narrowly escaped with her life.

The individuals who lost their lives by the explosion, were John Coyle, engineer, and a man named John Devine, a cabinet maker, who was passing along Cross-street at the time of the accident, and was killed by the falling timber.

The "Commercial Advertiser" adds—We have visited the ruins of this part of Mr. M'Queen's works this morning, and the extent and completeness of the work of destruction is astonishing. The whole building, from roof to basement, is shattered to fragments. Bricks, tiles, timbers and iron, broken and shivered to splinters, lie in a heap of useless ruins—affording the most striking commentary upon the expansive power of steam that we ever beheld. Although the engine was of such comparatively small dimensions, [only 10 horse power] yet the destructiveness of the exploding vapour was equal to the force of half a dozen kegs of gunpowder. Really, the frequency of these accidents of late, is appalling. Human skill and forethought, and prudence, seem to be alike baffled by this powerful, and now necessary agent in the march of improvement. The means of obtaining a perfect control of this power, is now the greatest desideratum in mechanics.

BRITISH EMIGRATION. We have seen a letter, says the Kent Herald, from an individual named Robert Chambers, who left this neighborhood (Canterbury) some time since for North America. It is dated from Balston, about 175 miles from N. York. The writer is so well pleased with the change of country that he sends for his wife and children, and states that he is employed at common farming at nine dollars per month. He advises all his friends to leave England, and as he expresses it, "come to America, which is a free country for all classes of people—wages are from 8 to 12 dollars per month—wheat is worth only 90 cents. (less than 4*s*. 6*d*. English) per bushel—pork 4 cents per lb. tobacco 10 cents per pound—cider is as plenty as table beer in England; in fact, both apples and cider are as free for use as water to drink or air to breathe." Such accounts as these will shortly render it necessary for the agriculturists to put their own hands to the plough—there will soon be no laborers left—most loudly does this state of things call for a great and sovereign remedy.

SWITZERLAND. The Swiss cantons, according to the last census, contain a population of nearly two millions. The federal military contingent consists of 33,758 men, with a reserve of double that amount, and the armed landwehr consist of 140,000; forming a total of 207,758 men, exclusive of the federal staff. The Swiss troops in the service of foreign powers, but subject to be recalled, should their country be engaged in war, amount to 18,136 men. It is observed by a French journalist, that if France could adopt the military organization of Switzerland, she might have, at an expense not exceeding 80,000,000 francs, a disposable force of more than 500,000 men, a reserve of the same amount, and a national guard army of 2,200,000 men.

TELEGRAPHS. Since the commencement of preparations for the French expedition against Algiers, a nocturnal telegraph has been established at Paris, communicating with Toulon, and proved by experiment to answer perfectly. The lanterns are constructed of very powerful magnifying glasses, which a strong reflector, and lighted with gas. Others, of similar quality, are distributed in the fleet, and after landing, some are to be placed on the African coast. A night telegraph was established on the heights of Montmartre, in 1822, to communicate with several chief commercial towns, but it proved useless. It is said that intelligence is now received at Paris, from Calais, in three minutes, by twenty-seven telegraphs—in two minutes from Lille, by twenty-two—in six and a half from Strasburg, by forty-six—in eight from Lyons, by fifty—in sixteen from Perpignam, by eighty-nine—in eight from Brest, by eighty—in fourteen and a half from Toulon, by ninety-three.

[*Philad. Chron.*

ORIGIN OF THE SLAVE TRADE. In 1434, a Portuguese captain, named Alonzo Gonzales, having doubled cape Boader, landed in Guinea, and carried off some lads, whom he sold advantageously to Moorish families settled in the south of Spain. Six years afterwards he repeated this act of piracy, and as the practice seemed to answer, many merchants adopted it, and built a fort to protect the traffic.

SPANISH IDEA OF THE ARTS. A letter from Madrid says—"Our government patronizes the arts with a dig-

nity worthy of it. It has just established at Seville a school of *tauromacy*, under the protection of the intendant. This school has two professors, with salaries of 12,000 and 8,000 reals; and henceforth, every town or village wishing to have bull fights must contribute at least 100 reals towards the expense of the school.

DRESS OF THE BEDOUINS. A French officer in the Algerine expedition, thus describes the costume of the Bedouins:—"They are enveloped from head to foot in a covering of thick flannel, fastened over the head by means of a ribband. They have neither shirt nor shoes, and are armed with a long gun, which carries very far and very true; they are besides furnished with a little sheath, similar to that used by butchers, in which they keep a small and exceedingly sharp knife.

NOVEL CORRESPONDENCE.—A singular correspondence has been commenced in Boston, between "the living who are yet alive," and the unborn of the third generation yet to come. The circumstances are as follows: At the late centennial celebration in Boston, after the procession had been dismissed, general William Sullivan, chief marshal, wrote a letter to his *successor*, which he enclosed, together with his TRUNCHEON, in a roll of parchment, and sealing it securely, he directed it in the following manner.

The CHIEF MARSHAL of the
centennial celebration, 17th September, 1830,
to the CHIEF MARSHAL of 17th
September, 1930.

The package was delivered to the mayor, with a request that he would cause it to be preserved, and transmitted as directed. It contained also the subjoined letter. Mr. Sullivan has also suggested to the proper authorities, than an iron or tin chest should be procured, and placed in a safe and secure situation, in which as many memorials of the day should be deposited as can be procured, including every thing that may be of interest to those who shall live indeed, whilst we live only in their memory. We presume gen. Sullivan does not anticipate an answer.

Boston, September 17, 1830.

To the chief marshal of the centennial celebration of the seventeenth of September, one thousand nine hundred and thirty:

Sir—I greet you through the lapse of an hundred years, and send to you the truncheon, which I have borne this day. I hope that you will use it in the presence of a mayor, who has given his days to commendable industry, to the forming and to the using of illustrious talents; and to straight forward patriotism; and who is the ornament, and the pride of a grateful and happy city:—Of an orator, who is learned, philosophic, fervent and eloquent, and who carries to the duties of the day a well earned reputation in many important offices;—Of a poet, studious, discerning, comprehensive, tender, and manly;—Of chaplains and psalmists, devout, reverend, faithful, loving and beloved;—Of city legislators, worthy of being depositories of power derived from free and satisfied electors;—Of citizens, raised to the highest honors, within human gift;—Of a population delightful to look upon, and sell respecting and decorous in beholding.

May you hold this badge of brief authority with sentiments of self gratulation, that in your day you are an agent in a celebration due to the memory of the departed, cheering and preceptive to those who eugage in it, and exemplary to those who are to follow.

WILLIAM SULLIVAN, *chief marshal.*

INTERESTING ITEMS.

Schooner Herald, at Barnstable, lately came near being burnt by the spontaneous combustion of a pair of duck trowsers which a sailor had oiled with linseed oil.

A tortoise, of the species *testudo ferox*, measuring 8 feet from the bill to the end of the tail, and 7½ between the ends of the two forward flippers, was recently taken by capt. Ames, of a fishing smack, of New London. He weighed 1,050 lbs.

We hear that vases in rock crystal, oriental agate, jasper, and other rare and precious materials, richly ornamented with enamel, gold, precious stones, &c. of the Florentine manufacture of the 16th century, have been found in the palace of the dey of Algiers, together with various suits of Spanish and Moresque armor, equally fine and curious, all of which will most probably be brought to enrich the museums of Paris. Among the gold coin found, there are several of the time of Charles V. Some are very curious, and will be deposited in the cabinet of medals.

Under the head of "entertainments of the week," a New Orleans paper of the 3d Sept. enumerates the following items:—

"A bull-bait, a fight between a racoon and an alligator, only seven duels, a rat hunt, and a dog fight."

Capt. Partridge has ascertained that the court house at Keene, N. H. (the most beautiful village, we think, that we ever saw), is 3,138 feet above tide; and that the altitude of the Grand Monadnock mountain, in New Hampshire, is 2,540 feet above the site of the court house at Keene—together 5,728 feet above tide.

Lexington, Kentucky, contains 6,087 inhabitants, of whom 2,100 are slaves, and 230 free persons of color.

The total of public land in Upper Canada, according to an official report, is 1,708,8.9 acres surveyed, vacant or grantable; 3,606,130 acres, unsurveyed.

A communication addressed to the editor of the Boston Palladium says—I have just returned from a journey into New Hampshire. In the town of Portsmouth, I called upon a lady who was 95 years old last February, and she informed me that she had, in the last fortnight, put a quilt 2½ yards square into a frame, and finished it with her own hands, and without spectacles. On my expressing great surprise, the quilt was produced, and appeared as if it had been made by young fingers. I asked the old lady how she had lived. She said that she had been a very *industrious* woman. That during the revolutionary war, she made shirts for soldiers for 9*d.* a piece, while her neighbors, who could not afford so well as she to be idle, refused the work on account of the price. She has been an *early* riser, and a *temperate* eater, and a very *cheerful* woman, though she has lost most of her children, and seen much trouble.

From a statistical view of the Methodist Episcopal church, which has recently been published, it appears there are 476,000 of this denomination of Christians in the U. States. The increase since last year has been 37,935. Of the whole number, 402 561 are whites, 69,230 are colored persons, and 4,209 are Indians.

Died, in Talbot county, Maryland, on the 27th inst. gen. James Lloyd, in the 74th year of his age, a soldier of the revolution.

The frigate *Constitution*, "old Ironsides," it seems is now to be repaired, immediately. The idea of selling this ship, if ever entertained, is abandoned—and we hope will be, while one of her timbers shall last.

The yellow fever severely prevails at New Orleans—and the cases are of the most fatal type. The number of patients up to the 10th Sept. was 252—the whole deaths in the week ending on the 11th—115.

Died, at his seat, near Paris, the old and venerable rear admiral count Barre de saint Leu, late of the French navy, and an officer who fought at the side of Rochambeau and others. When the French arms were signalized in fighting for the noblest of causes, he was the friend of the venerated LAFAYETTE, and like him left his happy shore amidst the pleasures of the court of Louis to share the dangers of the war; to defend the liberties of a nation he continued to love and admire with his latest breath. There have been few foreigners, who possessed the same feeling towards the United States. "Never," said he, "have I lamented of having spent one hour, in fighting for WASHINGTON'S country!" Called upon a few months ago, to recommend a young citizens of this republic, he addressed the secretary of war in the following language:—"I should esteem myself doubly happy, if, after shedding a few drops of blood in defence of the liberty of America, I could be of any service in recommending to you this young man, whose father is my friend."

Mr. Adams, late president of the United States, is named as a candidate for congress from the district of Massachusetts now represented by Mr. Richardson, who declines a re-election.

Mr. Clay has been nominated for the presidency by a "republican" convention of Connecticut, through delegates assembled at Hartford, because of "the frankness of his character, singleness of his purposes, liberality of principles, and his devotion to the cause of liberty and the rights of man."

Messrs. Gorham and Richardson, of Massachusetts, have declined a re-election to the congress of the United States.

It is positively stated that Joseph Bonaparte does *not* intend to return to France, as it has been said that he was preparing to do.

Died, at Oak Hill, Loudon county, Virginia, on the 23rd Sept. Mrs. *Monroe*, consort of the ex-president, at an advanced age, much regretted by all who knew her; and also, *George Hay*, U. S. judge for the eastern district of Virginia, son-in-law of Mr. Monroe, and his lady, above mentioned. Mr. Hay was a strong and celebrated political writer. Also, Mrs. *Rebecca McDuffie*, consort of Mr. McDuffie, of the house of representatives from South Carolina. Also, midshipman Russell (of Boston) attached to the Peacock, of the yellow fever, at Pensacola.

Meetings have been held at Philadelphia, Charleston, &c. to celebrate, or approve, the late events in France.—They will probably become general all over the United States—*nem. con.*

Com. Porter having arrived at Gibraltar on his way to Algiers, was informed of its capture by France—but would proceed to Port Mahon.

The Bellows Falls Intelligencer says, "The living skelcton, who has been exhibiting himself in different parts of the union, passed through this village last week on his way to Philadelphia, whence he is to sail for Europe. We understand that the gentleman who accompanies him has engaged to pay him *forty thousand dollars* for the privilege of exhibiting him two years, on condition that he should make a deduction of 500 dollars for every pound of flesh which he might gain. Now, if he does not grow *fat*, he cannot grow *poor!*"

Mr. Nicholas Biddle acknowledges the receipt of 22 dollars and 55 cents, collected on board the steam boat Rappahannock, for the benefit of Fulton's heirs—being the first deposit on that account.

It is stated that about 1,000 men are now employed in making the Albany and Schenectady rail road, which, it is expected, will be completed next year. The stock has recently advanced 10 per cent.

A meeting was held in Saratoga village last week and a committee appointed to inquire into the expediency of constructing a rail road between that place and Schenectady; and meetings for the same object, it is understood, are to be holden at Ballston Spa and Schenectady, during the present week.

The Camden and Amboy rail road company will commence operations on the line about the 9th of October, with a view of having the embankments thrown up early, and operated on by the frosts, preparatory to laying down the rails in the spring.

A correspondent in Tamworth, (N. H.) writes to the editors of the Portland Advertiser, that on the 11th of this month, four full grown wolves made their appearance in that town. The ravages they made among the flocks in the neighborhood have not yet been ascertained, but several sheep have been missing. As soon as the farmers of Tamworth discovered that these dangerous animals were around them, they turned out in a mass. Two hundred and seventy-one men were mustered forthwith. Every side of the wood into which the wolves had retreated was regularly guarded. This wood extended over about forty acres of land. Twenty gunners were selected from the whole number to pitch battle with their majesties. They entered the wood—and in about six hours from the commencement of the contest, the four were killed without any injury to the combatants or the spectators assembled about them. This is the first wolf hunt we have heard of these many years."

Allegheny county, Maryland contains 10,590 inhabitants—of whom 819 are slaves, and 212 free persons of color.

At the late sittings of the circuit court in Westchester county, N. Y. judge Emott presiding, a verdict of $750 was obtained by Gilbert Acker against Stephen Baker, in an action for the seduction of plaintiff's daughter.

The population of Washington city is 18,833—of whom 2,319 are slaves and 3,140 free persons of color. The whole number of inhabitants was 13,247 in 1820. There has been a decrease in the eastern end of the city, because of the reduced employment at the navy-yard.

Died, in Prince George's county, Maryland, on the 9th Sept. in the 75th year of his age, col. *Joseph Cross*, a gallant officer of the revolution, in which he held the rank of captain, having risen from the ranks for his good conduct in many a well-fought field. He was a most worthy man and among the best of patriots. This county, in the loss of the late gallant col. *Beall*, of the famous Maryland line, and col. Cross, has been deprived of two of its most valued citizens.

FOREIGN.

One effect of the recent revolution in France has been to erase the name of the duke of Wellington from the list of marshals of France, but it is said this circumstance will produce no ill-feeling in England. [Why should it?]

A dreadful accident happened at Jarrow Colliery, near New-Castle, England. Twenty-three men and seventeen boys were killed by an explosion of inflammable air. The depth of the mine where it took place, was *one hundred and ninety fathoms* below the surface. Most of the men were married and have left families in distress and poverty.

It is stated that during the conflict in Paris, many ladies heated oil, water, &c. to throw upon the king's troops; and this had so good an effect in several of the streets, that the troops refused to enter them.

A Paris paper of the 13th Aug. observes—It is said, this evening, that Charles X. has at length embarked. He wished to stop at the Island of Jersey, but the commissioners opposed this. It is said that he thinks to retire to Saxony, and to pass through Hamburgh. This, at least, was the report spread in the saloon of the ambassador of Austria.

About 100 persons had desired to embark with him, but as the two ships intended for him could not contain them all, it was found necessary to give him a third, with which he must now be on his way. [*France Nouvelle.*

Gen. Pepe, formerly of Naples, has arrived in Paris. It is mentioned that several of the fugitive ministers and ultra royalists of France, have reached different asylums. They fled like stricken deer.

In London, Manchester, Birmingham, and other parts of England, town meetings were held, expressing the admiration of the inhabitants of the valor, self-devotion, and moderation of the French, in their contest with, and overthrow of an oppressive government. At all these meetings subscriptions were opened for the relief of the wounded, and of the families of the killed.

It is calculated that there will be at most not more than nine or ten Roman catholic members in the new parliament, and that of these the majority will be returned for places in England.

There are 126 new members elected to the house of commons from England and Wales alone.

Lord John Russell lost his election for Bedford, by the casting vote of the mayor. The number was, for lord John Russell, 490, capt. Polkill 490—the mayor determined in favor of capt. Polkill, who is described as the lessee of Drury-lane theatre.

It is stated in Bell's Weekly Messenger of 15th Aug. that *sir Frederick Lamb* is to be the ambassador commissioned to convey the congratulations of the British court to the king of the French.

As to the late king of France and his family, we see nothing to add, unless it be the fact, communicated by a correspondent of the London Courier, that after the abdication of Charles X. and the duke of Angouleme, the little court around that fallen monarch applied the titles of *majesty* and *sire* to the duke of Bordeaux,—in doing which they took example from Charles and the duke of Angouleme.

[The *baby* was just as well fitted for a king, as old Charles or his ricketty son, the duke of Angouleme.]

Our Lafayette is called the "father of the French!"

The arrangement of the three colors of the French flag, or cockade, is established by law. In the flag, the *blue* is next the staff, then the *white*, and the *red* outside. In the cockade the blue is in the centre, the adjoining circle is white and the red surrounds the whole.

From London papers to the 18th Aug.

The American ships Great Britain and Charles Carroll had arrived off Portsmouth, England, with the ex-king Charles and his suite. It was supposed that, after remaining a few days in England, he would embark for Naples; and it is said that two British frigates would convoy him. The Times of the 18th Aug. states that orders had been sent to the custom house, at Portsmouth, to suffer all articles landed by Charles to pass without examination. If such a thing was anticipated at Cherbourg, some fine *speculations*, no doubt, were made. See Mr. Brougham's speech—page 104.

King Philip is often addressed as "citizen-king." The people are shewing a warm attachment to him and his family.

The French peers, whose titles had been suppressed by the new government, had formally protested against that act. [Those are the peers—"batches of peers," that were made by Charles to keep up a majority in the chamber.]

An opinion is expressed in letters from Paris, that it was to the firmness of *Lafayette*, and the entire reliance of the people in his patriotism, that the affairs of France were so soon settled.

It is reported that a large Austrian army is advancing on Italy—and rumored that the emperor will not acknowledge the new king of France. The latter is not credited, and it is very possible that the army has entered Italy for the sole purpose of keeping down a revolutionary spirit which has shewn itself in Piedmont, &c.

It would appear that the king of Prussia had already determined not to interfere in the domestic concerns of France; and, lest his motives might be suspected, that he had even ordered that the usual autumnal reviews of his troops should not take place.

Every thing is said to be quiet in Paris, and such was the confidence in the stability of the new order of things, that the bank of Paris had discounted, since July 26, sixty-three millions, in bills, chiefly to the middling classes.

It is reported, in a very positive manner, that the country *from St. Sebastian to Saragossa was in full insurrection:* and that gen. MINA, who was believed to have disembarked in Galicia, had passed through Bordeaux on the 8th and had entered Spain with 500 men.

A Hamburg paper of the 10th August, states that prince Polignac had arrived at Altona, and that he intended to proceed to Russia.

The committee appointed by the French chamber of deputies, on motion by Salverte, for the impeachment of the ministry of Charles X. are Messrs. Daunou, Berenger, Caumartin, Madier de Montjau, Pelot (de la Lozere), Lepelletier D'Aunay, Berton de Vaux, Mauguin, Salverte.

It would seem that the ambassadors of the principal European courts at Paris, had not recognized the government of the new king.

It is suggested that the occupation of Algiers by the French, may afford some pretended causes of complaint from the *holy* kings—allied to take from man the best gift of his CREATOR, the *right of reason.*

A French vessel of war returning to Toulon from Algiers, was put a-bout by the commander, on seeing the tri-color; but when informed of what had happened, it soon "floated at her main." Vessels had been despatched to several places to spread the glad tidings of the revolution.

We expect soon to hear of the running-away of the *petticoat-making* king of Spain. Whither will he go? The fellow has grossly abused his wife, and her father, the king of Naples, ought to refuse him an asylum. *Algiers* is no longer governed by a dey, and he cannot proceed thither, and Ali pacha, of Janina, is dead.

It is said that the Austrian army in Italy will be about 110,000 men.

From the London Morning Chronicle. In answer to a communication as to the light in which the French people would view the subscriptions for the sufferers at Paris, the following letter has been received:

National guards of Paris.

"*Hotel de Ville, Aug.* 10, 1830.

"DEAR SIR—We have had a conference with general Lafayette on the subject of your letter, and beg you will communicate its results to the free men of England.

"We think that the cause of liberty would be essentially served if a deputation were named at a general meeting in London to present to general Lafayette, as commander of the national guard, the subscriptions for the wounded of the sufferers, and at the same time to be the bearer of an address to the inhabitants of Paris, on the late events. We think it would be a noble occasion for each to give evidence to the other of their love of freedom and of peace, and of their mutual esteem and friendship. It would be a step—a great step towards the union of two cultivated nations—it would be a glorious example to the rest; it would be to supersede the holy alliance of kings by the holier alliance of the people.

"After the arrival of this deputation in Paris, a deputation would be named here to be the bearers of an address to the inhabitants of London, thanking them for their friendly exertions, and expressive of our hope for the establishment of the extension of liberty and good government.

"These, my dear Bowring, are the suggestions which we respectfully submit to the consideration of our kind friends. These we desire to be known in England, and to the world. This is a happy moment. Let us profit by it, for the universal cause of man.

"An order of the day is at this moment being published, announcing to the people of Paris what the people of London are doing in their favor. All hearts are united in this good work.—The Americans too are coming forward.

"Now then, zealously for the good cause! and let us place the charters of liberty beyond the race of tyrants.

Yours, wholly, COUNT DE LASTEYRIE."

From a Paris paper. A great many women took an active part in the combats in Paris, and several distinguished themselves by feats of extraordinary courage. A young and pretty girl, 19 years of age, who, during the three days, appeared in front of the combatants armed with a musket, acquired such an ascendancy over the citizens that they regarded her almost as their captain. Intrepid on the field of battle, she lavished her kind attentions on the wounded when the firing had ceased. So much heroism, devotion and humanity, excited the enthusiasm of all who witnessed it. On Saturday night this young girl was borne in triumph through the streets of Paris. A great crowd accompanied her, shouting cries of joy.—In one hand she held a sword, and in the other the tri-colored flag. Lighted torches shed a brilliancy on this gay cortege.

FRENCH CHAMBER OF PEERS.

The following is the speech of the duke of Fitzjames, before the French chamber of peers on the 13th August. The duke is a descendant of James II. the last of the Stuarts who sat upon the English throne. It appears to have made an immense impression, and is worthy attention, as displaying the involuntary conviction of even some of the most devoted adherents of the deposed family:

The duke of Fitzjames, on being called, rose [great attention and profound silence.] 'Having been absent from home for some days, on a short journey, I suddenly learned that a dreadful thunderbolt had fallen on France, and that the royal family had disappeared in the tempest. The firing of the guns, which proclaimed a new king, seemed to await my arrival yesterday into the capital, and to day I am summoned to this chamber to take a new oath. I have never made a sport of my word, and with me the obligation of an oath has always been sacred. I have only taken two oaths during my life; the first, in early youth, to Louis XVI. of blessed memory; the second in 1814, to the constitutional charter, the principles of which had long been implanted in my heart, and which I rejoiced to see made the law of France, I defy any living being to accuse me of having been unfaithful to those two oaths. [Unequivocal marks of assent.] You will, perhaps, do me the justice to admit that in this

chamber I have delivered no opinion which had not for its foundation the very text of the constitutional charter, and I call honor to witness, that, for these sixteen years, there never has arisen in my heart any wish which was not conformable to that charter. Being tried by misfortune almost on my entrance into life, I was, in adversity, early taught to submit to the decrees of Providence, and to fortify myself against storms. How to remain faithful to a hopeless cause has long been known in my family, and in that respect we have not a new lessen to learn. [Fresh marks of assent, and several peers shed tears.] Doubtless I deplore, and shall ever deplore, the fate of Charles X. Long honored by his bounty, no one better knows than I all the virtues of his heart. Even when deceived by ministers, even more imbecile than perfidious, [a number of voices "yes, yes,"] when, too vainly, alas! I endeavored to make him hear the truth which was so criminally concealed from him, [a new movement,]—I declare now, and shall always declare, that I never heard him express any wish which had not for its object the happiness of the French people, and the prosperity of France.

This justice it is my duty to render him. These sentiments, which will ever live in my grateful heart, and which would stifle me if I did not give them free vent, I love to pour out before you, and I should pity him to whom they could give offence. Yes! to my latest breath—so long as a drop of blood makes my heart beat—on the scaffold, if ever I am destined there to lay my head—I shall boldly avow my love and respect for my old master. I shall say that he did not deserve his fate, and that the French, who never knew him, have been unjust towards him [agitation]. But at this moment I am myself too only a Frenchman, and in the situation in which I am placed, am bound to devote myself entirely to my country. This high consideration for the safety of France, is doubtless the only one which can have induced so many wise minds to concur, in promulgating with such precipitation, acts which have within six days decided the destiny of France [more motion]. Every thing was consummated, and you beheld anarchy ready to seize upon us and devour us. I cannot be deaf to the influence of those motives. It is to them alone I sacrifice all the feelings which during 16 years have attached me to life. These sentiments impelling me by irresistible violence, make me open my mouth to pronounce the oath required of me [bravo! bravo!]

This speech made an impression on the assembly, which we cannot describe. It was unanimously ordered to be printed.

AWAY WITH THE BOURBONS.

Translated from the French of Beranger, for the New York American.

Away with the Bourbons!—'tis France who exclaims;
'Too long have we borne your degenerate sway,
Oppressors, we blush for your faces and names—
'Fly, fly to your dens, freedom kindles her flame—
Away with the Bourbons! away!

Away with the Bourbons, their cruelty's dye
The pencil of Clio were weak to portray,
Yet hark to the voice of your victims, they cry
The gloomy abysses return to the sky—
Away with the Bourbons! away!

Away with them, then shall our proud tri-color,
Our bow on the mountains its splendors displays,
And our honor our country, the words we adore,
The flag of our fathers shall hollow once more—
Away with the Bourbons! away!

Away with the Bourbons! the Loire shall again
Re-assemble it heroes, and call to the fray;
And they who've forgotten to vanquish, shall then
'Neath our banners renew the old glory, like men.
Away with the Bourbons! away!

Away with them! ay, and the horde they have led
To disgrace our free soil, with their foreign array;
Cruel traitors! the tyrants who basely betrayed,
Then sought from strange banners inglorious shade.
Away with the Bourbons! away!

Away with the Bourbons! my country, arise!
Regain the proud rank thou shouldst honor to-day;
Thou shouldst reign, then sweep off with their toys and their ties,
The minions we hate, the vile race we despise.—
Away with the Bourbons! away!

GREAT BRITAIN AND PERU.

A letter received at New York, dated Panama, 29th June—says,

The following extract of a letter from a correspondent of the New York Daily Advertiser, dated Panama, 29th June, 1830, contains the latest intelligence that we have seen from Lima:—

You will have heard of the declaration of general Flores separating Guayaquil and its departments from the government of Colombia. I have not been able to obtain the gazettes containing the acts, but should I get them before the mail closes to-day, they will go with this.

We have notices from Peru up to the latter part of May. Serious differences have taken place between the British authorities there, and the government. I learn the following, which you may depend upon as being correct:—

The schr. *'Palm be Civil,'* under the Mexican flag, arrived at Callao, in the early part of May, from the coast of Mexico, with $29,000 on board, for British account, which amount was regularly manifested. At C. the vessel and cargo were seized, for defect in register, (as alleged by the Peruvian authorities,) the money landed, and placed in deposit. During the adjudication, it was removed, by the Peruvian goverment, to Lima, on which the owners demanded to have it placed again in C. until a legal decision was made relative to it. This was refused, and application was then made to H. B. M. pro consuls, for their assistance in reclaiming. No satisfaction was obtained: and after several insulting letters had passed, the British corvette Sapphire, capt. Dundas, sailed from Callao, and off the port met the Peruvian ship of war Libertad, *which capt. D. ordered under his stern, and, after a little detention, took out* $18,000, *government funds.*

So soon as this was known in Lima an order was published not to admit any British vessels of war into the ports of Peru, immediately after which the consuls embarked, with their families, on board the Sapphire, and sailed for Valparaiso. I give you a copy of capt. D's. letter to the British merchants in Lima, previous to his sailing. It is generally supposed that these occurences will tend to good. Should I gain any more information I will transmit it to you.

copy.

His Britannic majesty's ship Sapphire,
Off Callao, 27th May, 1830.

Gentlemen—As the Peruvian government persist in refusing all reparation or satisfaction for the act of spoliation and injustice which they have recently committed against some of your own body, and as, in consequence of the measures which, in concurrence with his majesty's pro consuls, I have thought proper to adopt, the government have declared that the ports of Peru are shut against all British *ships of war*, I am under the necessity of removing to Valparaiso, taking his majesty's ship Tribune along with me. I regret that I must withdraw the whole force from the port, but it would ill become the dignity of the British flag that a ship of war should ride in sight of the port, not only without the means of obtaining her necessary supplies, but without the power of communicating with those whose interest she is here expressly to protect.

I do not apprehend that you will meet with any molestation after my departure, but even should you experience any inconvenience at present, I have no doubt they will be repaid by your eventually obtaining a greater degree of justice and security in your mercantile concerns with this country.

Should you wish to make any representation on the subject to the senior officer of his majesty's ships in the Pacific, I shall be happy to receive it, and lay it before him without delay.

I have the honor to be your most ob't humble serv't.
HENRY DUNDAS, *captain.*

The British merchants, resident in Lima.

ANTICIPATED REVOLUTIONS.

Letter from Thomas Jefferson to John Adams.

A friend has obligingly selected for us the following letter of Thomas Jefferson, written *seven years since.*

The letter will be read with much interest at this time, and the passages we have italicised will no doubt leave on the mind of the reader a lasting impression of the depth of intellect and accuracy of observation which were the characteristics of their illustrious author.

[*Nat. Gaz.*

"*Monticello, Sept.* 4, 1823.

DEAR SIR—Your letter of August the 15th was received in due time, and with the welcome of every thing which comes from you. With its opinions on the difficulties of revolutions from despotism to freedom, I very much concur. The generation which commences a revolution, very rarely completes it. Habituated from their infancy to passive submission of body and mind to their kings and priests, they are not qualified, when called on, to think and provide for themselves; and their inexperience, their ignorance and bigotry make them instruments often in the hands of the Bonapartes and Iturbides, to defeat their own rights and purposes. This is the present situation of Europe and Spanish America. But it is not desperate. The light which has been shed on mankind by the art of printing, has eminently changed the condition of the world. As yet, that light has dawned on the middling classes only of the men in Europe. The kings and the rabble, of equal ignorance, have not yet received its rays, but it continues to spread, and while printing is preserved, it can no more recede than the sun return on its course. A first attempt to recover the right of self-government may fail, so may a second, a third, &c. But as a younger and more instructed race comes on, the sentiment becomes more and more intuitive, and a fourth, a fifth, or some subsequent one of the ever renewed attempts will ultimately succeed. In France, the first effort was defeated by Robespierre, the second by Bonaparte, the third by Louis the XVIII, and his allies, *another is yet to come, and all Europe, Russia excepted, has caught the spirit, and all will retain representative government, more or less perfect.* This is now well understood to be a necessary check on kings, *whom they will probably think it more prudent to change and tame, than to exterminate.* To attain all this, however, *rivers of blood must yet flow*, and years of desolation pass over; yet the object is *worth* rivers of blood and years of desolation. For what inheritance so valuable can man leave to his posterity? *The spirit of the Spaniard, and his deadly and eternal hate to a Frenchman, give me much confidence that he will never submit*, but finally defeat this atrocious violation of the laws of God and man, under which he is suffering; and the wisdom and firmness of the Cortes afford reasonable hope that *that nation will settle down in a temperate representative government, with an executive properly subordinated to that. Portugal, Italy, Prussia, Germany, Greece, will follow suit.* You and I shall look down from another world on these glorious achievements of man, which will add to the joys even of Heaven.

THOMAS JEFFERSON."

THE NULLIFICATORS.

From the Columbia Telescope of September 17.

CHARLESTON ELECTION.

The state rights party have failed of success. Mr. Pringle the government candidate, the collector of the port and of the tariff imposts on foreign goods, has succeeded by a majority of 84 votes. No wonder. All the *dependants of government*, the *custom house* and its extensive influence, the *federal judiciary* and their *officers*, the *banks*, particularly that most dangerous of all our institutions, *the United States bank*, with its overwhelming influence, many of the lawyers who depend on the banks, and the YANKEE merchants and YANKEE pedlars for business, the whole phalanx of YANKEES, were all in firm and organized hostility to the natives of South Carolina. We regret to say that some Carolinians who ought not to have been so lost to all feeling for their country, joined the *submission* crowd.

To have effected against this formidable band of interested opponents, so much as was done, is no small praise to the conductors of the state rights party.

If the matter were to rest here, we should say, without scruple, that Charleston is rotten at the core. That it is manifestly and notoriously a *government borough!* That its efficient population is for the most part under the degraded and degrading influence of men bought over by lucrative situations to merge the feelings of citizens and patriots in a selfish conformity to the politics of those who pay them. The base subserviency to power in some, to a vile thirst after lucre in others, and the prevalence of foreign and hostile feelings in a very large proportion of the citizens, have paralyzed all those efforts that patriotism should have claimed and enjoyed. Five submission presses devoted to the YANKEE interest, were arrayed against the "Mercury" and its editor.

But the struggle is not over; with firmness and perseverance, honesty may yet succeed. At the ensuing October election, a large class of voters, excluded at the election for intendant, will be admissible to vote for members of our legislature. We wait patiently for this coming contest, trusting it will retrieve the independent character of the city.

[☞The "nullificators" are prepared to forbid the playing of "Yankee Doodle" which served their fathers so well at *Entaw*, when the Maryland line and Delaware blues, marched with it to the bayonet-points of the British, and powerfully assisted to save the south.]

From the United States Telegraph

Speaking of the result of the late election at Charleston, which assumes the character of the "official organ of the government," thus speaks—

"All parties agree that Carolina is oppressed—sorely oppressed. It is the opinion of some that the violence (if you please) which the advocates of a convention have manifested, was requisite to awaken the nation to the true condition of the country and of public sentiment. Some believe that the cup of forbearance had been drained—that petition and remonstrance, under such circumstances, would be alike unavailing and disgraceful: others have said, not so; we confide in the wisdom and energy of the national executive and congress. Should a majority, a *bare* majority, make *another* appeal—Should they resolve to throw themselves once more on the patriotism of the UNION, as supplicants for an *equal* participation in the benefits of our union, disappointment cannot fail to produce a powerful reaction—should congress, at its next session, refuse a modification of the tariff—should the advocates of Mr. Clay's system succeed in carrying their measures, South Carolina will demonstrate that she is as much opposed to consolidation, as she is to disunion. South Carolina has not abated one iota of her confidence in her public men. She knows that to them she is mainly indebted for the position which some of the advocates of union, in her own state, have assumed. She knows that no one will rejoice more than they, at the redress of her grievances; and she will never forget the services which they have rendered in the cause of state rights, and of the union. The defeat of the proposition to call a convention *now*, is no evidence that a convention may not be called *next* year, in case congress refuse to modify the tariff; and every one must see that a refusal to call a convention, *this year*, is not an abandonment of that proposition, or a condemnation of its advocates. It is a proof of the attachment of the people to the union; but it is no evidence of an unqualified submission to ruinous taxation."

[☞Here is instruction—let him who readeth understand. It certainly supports the "nullifiers."]

The following is an extract from the proceedings of a meeting of the residents of Charleston Neck—120 being present, "as the invitation was *private*," and none "present but the known and approved friends of *state-rights* and *Andrew Jackson*"—so says the account. We give the italics and capitals as printed in the "Mercury"—

Every citizen of South Carolina, no matter how humble his lot in life may be, has a deep interest in the present situation of affairs.

In common with our fellow citizens of the TRUE *state rights party*, we cannot behold the present conflict between this state and the federal government with apathy or indifference.

The late election too of intendant of the city, is calculated to cause apprehensions of the most alarming character.

If the state of South Carolina has not given up her sovereignty to the congress of the United States, it is our

duty as good and faithful citizens, to endeavor to maintain her integrity, in the *purity of elections;* and not to allow officers having emolument under the general government, (no matter how excellent their reputations may be) to be placed in authority over us. It is our duty to preserve our ballot box, for the *sole* and *exclusive* use of those who are bound to Carolina by *feelings* of undivided affection and attachment.

With such opinions, we feel it incumbent upon us, the *old* and *true hearted followers of ANDREW JACKSON, and the constant opponents of the TARIFF SYSTEM*, which *oppresses* the *poor man* in the south, for the *benefit* of the *rich man* in the north, to use our best efforts to support our beloved state in all her *just* and *constitutional rights*.

We invoke the aid of every *true* friend to Carolina in this sacred cause; and we throw back upon our opponents the charge of *disunion*, with which they have effected their recent election in the city; and of which they already begin to be ashamed. Ours is the *true union cause*, for we stand upon the *constitution*, which we would keep *pure* and *inviolate*.

Let us be *united*, and we *must conquer*. Let us, on the *eleventh day of October next, display our old JACKSON FLAG*, and remove from the parishes of St. Philip and St. Michael, the *stigma* that they are under the dominion of the *Clay faction*. Therefore,

[Then follow a number of resolutions to support *state rights*, and a certain gentleman for senator, &c.]

—

There has been a "great state rights meeting at Columbia." The Charleston "Mercury" informs that between 2,000 and 3,000 persons were present—that *Chancellor Harper* offered a resolution in favor of *convention*, which was almost unanimously adopted. Col. John Taylor presided, and the rev. Mr. Goulding, of the Presbyterian church, and the rev. Mr. Freeman, of the methodist, offered up prayers. Several speeches were delivered, and it is said that the dissentients to the whole of the resolutions amounted only to eight.*

The South Carolina papers are filled with "nullificatory," and "anti-nullificatory" proceedings. The first are "hot as Cayenne pepper"—the second, cool, collected and resolute. We have "the fullness of hope" that South Carolina will, herself, *redeem herself* of the proceedings of persons, whose violence has so far out-stripped that of those who got up the HARTFORD CONVENTION, as to render that famous assembly angelic, if *compared* with the doings of these latter times. The "nullifiers" will be "nullified."

We recommend the following small paragraph to the "nullifiers"—the grumblers about the tariff. We well knew that John Bull had *forged* our marks, that he might sell his goods, made out of the cotton of *Surat* and *Bengal* in South America, but do not recollect to have seen the fact stated before, that he had committed this dishonesty to prevent the sale of *American cotton* (in goods), at Constantinople. Our belief seriously is—that the destruction of the American *manufacture* would reduce the value of *cotton* not less than 20 per cent. and that the greatest misfortune that can befal South Carolina, unless because of "nullification," would be a repeal of the tariff.

In a letter written by the rev. Mr. *Dwight* from Constantinople, to a friend in Utica, New York, he states that our cotton goods are in good reputation at that place—so much so, that the English actually put American stamps on their goods, to sell them to better advantage.

Again—

Many of the southern papers inform us that the growing crops of cotton will be far short of the usual supply. If so—the price must rise to 15 or 20 cents per lb. and "nullification" will be killed; the people must then see that it is *excessive production* which has reduced the values of this article—though not at a greater rate than that of wheat and other grain has been reduced. But cotton is *every thing* with "the south"—*though the whole product of* ALL *the crop in the* UNITED STATES, *would not, of itself, nearly feed and clothe and supply the people of the small state of* SOUTH CAROLINA *only, notwithstanding one half of its whole population, is made up of "working machines."*

*We have another account of this affair which makes it out to be rather a small matter. We care little about it.

POLITICS OF THE DAY.

[We find in the Columbia Telescope the following correspondence between judge *Johnston*, of the supreme court of the United States, and colonel *John Taylor*, formerly a senator in congress, and lately governor of South Carolina.]

To the editor of the Telescope.

SIR: The enclosed letter from judge Wm. Johnston, you will see by the concluding paragraph was sent to me for publication.—The importance of the allegation, that there has been for six years a conspiracy to dissolve the union, (whether we believe the high authority from whence it comes or not), leaves me no choice but to put the accuser to his proof, and the complying with his request will, it is thought, bring him out. The publication of my answer, it will be perceived, was intended at the time it was written, to be at the discretion of judge Johnston. The committee of invitations have thought it best that the two letters should be published together, and I see no impropriety in acquiescing.

JOHN TAYLOR.

—

Charleston, Aug. 31, 1830.

MY DEAR TAYLOR: I have just received an invitation to your dinner of the 20th prox. Pray tell me, did it come from the committee? I am sure not a man of them could have sent it otherwise than as a mark of attention—if from another quarter, you know me well enough to know that the jest is lost. But my object in either case is to inquire, whether if I attended the dinner, I could be heard with patience, while proving to the satisfaction of any man whose mind was in a state for thinking.

1st. That the protection of domestic manufactures was not an avowed leading and necessary object of the constitution.

2. That it never was lost sight of, but alway relied upon as the capacity of the country to produce developed itself.

3. That the late attempts on a large scale grew out of a succession of such developments, and a state of things resulting from changes in the application of labor, which imperatively required of every wise government to adopt such a course of policy.

4. That Carolina has not only not been injured but really benefitted to many thousands by the tariff.

5. That no state in the union is more deeply interested in maintaining the principles of the tariff.

6. That nullification is folly, and the peaceable course projected under it, all a silly and wicked delusion.

7. That it grows out of a deliberate conspiracy against the union, which has been steadily working upon us for the last six years, though very few are in the secret.

8. That a convention is the grand end and aim and agent of that conspiracy.

My friend, you have much at stake, and you are not the man whom I would think to frighten or wish or hope to deceive. Before Almighty God, I declare to you that I believe all the above propositions to be true; and you have my permission, nay, request, to publish this with my name to it, for I am in earnest. Yours affectionately, WILLIAM JOHNSTON.

—

Rice Creek, Sept. 11, 1830.

MY DEAR JUDGE—I was not at the meeting which selected the invited guests. The other gentlemen of the committee, and whose names are on the invitation and unassisted from any other quarter, as they direct me to assure you, made this selection, and further, that the names of yourself, of judge Lee, judge Richardson, and of many others, known and supposed to be anti-conventionists, were selected in the spirit of fairness, and with a view of eliciting a full, free, and candid discussion of the great question now before the public.

If I had been present I should have excluded yours and judge Lee's, not account of any personal disrespect; but because I deem it utterly incompatible with my notions of propriety, for the members of the federal judiciary to come down and mix in the commom fight, in the discussion of subjects which may, and in all proba-

bility will, come before them for adjudication; and the more especially as in the very subject now to be discussed, some of the great politicians refer to the supreme court for redress against the usurpations of the general government. But if you will come, I, as one of the members of the "conspiracy" you undertake to prove has existed for six years, *whether we are in the secret or not*, do promise in their behalf, to give you a full hearing on your eight points, and if not as patiently as judges usually hear the pleading against their culprits, at least more patiently than a federal judge heard the defence of *poor Fries*, or the defences of the victims of the sedition law—and as we have "*much at stake*," we shall bestow breathless attention in a case where a judge becomes the accuser, witness, and advocate against us. Your compliment to me, that I am not one who you would think to frighten, assures you that I shall not runaway from your philippics, and I can promise the same for my compeers.

I am left no alternative but to do as you requested, publish your letter; for, in making the necessary inquiries of the committee, it became proper to shew it to them, and we all judge that it would be an evidence of guilt and an act of cowardice, to suppress your eight points;—we hold you bound for the *proof*—aye, the proof, most learned judge. We shall not be satisfied nor will the public, that you should leave your eight points with clues not yet unwound, of the denunciators of the south in John Adam's reign of terror. Why did you not come out with your eight points at the late election for intendant in your city? I have seen the address of the friends of the successful candidate for intendant—there is nothing so serious and weighty as your eight points in that address—I say so serious and so weighty, if you can establish them; but light as chaff, it resting only on assertion.

I am out of public life, and never wish to be in it again—but I sincerely wish my country may go on in the pursuit of that great desideratum, a tribunal (other than that on which you sit) which shall have power and weight enough to prove *an obsta principiis, to the usurpations of the general government, in despite of the constitution and in despite of the rights of the states.*—And in Mr. Jefferson's words, I say, "I would separate from our companions when the sole alternatives left are, the dissolution of the union with them, or submission to a government without limitation of power: between these two evils, when we must make a choice, there can be no hesitation."

If this is conspiracy make the most of it.

I am yours, JOHN TAYLOR.

P. S. You have my permission, nay, request, to publish this.

THE CHEROKEES.

From the Cherokee Phœnix of September 4.

Cherokee nation, 24th Aug. 1830.

Mr. Boudinot, editor of the Cherokee Phœnix,

Sir—I avail myself of the opportunity of informing the public, through the columns of the Cherokee Phœnix, of the conduct of the Creek agent, col. Crowell, towards the Creek Indians and myself.

At the invitation of the Creek chief, I attended their council at Wetumpka on the 1st inst. On the 2d I understood col. Crowell had arrived with a company of United States troops. I saw a white man that had been arrested by the troops, by the agent's order, for opposing emigration, who had been a citizen of the nation 40 years, and carried over the line into Alabama. I also saw Mr. Smith a half breed Creek, who has also been arrested, he told me on a charge of opposing emigration, solely by persuasion, and placed under guard by the United States troops, from whom not wishing to be a prisoner, he attempted to escape by flight, in which attempt the military fired on him, but fortunately missed him.

In a short time after the arrival of col. Crowell, I received the following unprecedented note.

Wetumpka, 2d Aug. 1830.

Sir,—I learn since my arrival at this place that you are on the ground and intermeddling in the affairs of the nation. You were told on former occasion that such an interference would not in future be suffered under the eyes of the government agent. You are therefore hereby notified to leave the encampment by eight o'clock to morrow, or it will become my painful duty to resort to coercive measures, which is not desirable. I am, &c. &c. JOHN CROWELL, *agent of Id. affr.*

Whether these coercive measures were to be by United States military bullets or bayonets, or otherwise, I did not understand. The pledge given, on the passage of the Indian bill, that force was not contemplated, came into my reflection by what I saw and felt. Is it possible that Indians are not allowed to visit each other? An Indian agent of government is surrounded by "all the circumstances and pomp of war" to induce poor defenceless Indians to emigrate to unknown regions. If any one has the courage to speak against it, he is placed in durance vile, and if he runs, he is shot at by the troops of a great republic!! Are these things agreeable to orders from Jackson's administration? "Hail Columbia, happy land!" Yes, happy to aspiring states, unrestrained by law, and who will have the Indian lands free of cost, and the sacrifices of the Indian tears. Sir, compulsion is the practice of the day, by those who advocated Indian emigration. We and our people are under the screw, and one turn has already forced tears from our eyes. If the Indian bill is not repealed by next congress, the second turn will draw from our agonized bodies life preserving blood. But let us remain still innocent, and pray the Lord to change the hearts of the rulers of the U. States. Perhaps we may yet be spared the exclamation, "Who is there to weep for Logan? Not one!"

Yours respectfully, DAVID VANN.

[We think that the "poor Indian" has a right to be heard—but, having long known col. Crowell, we cannot believe that he will render severity to them, but on instruction from his superiors. We have regarded him as a *faithful officer*, and are glad that he has returned, to mitigate, so far as he may, the circumstances in which the Indians are placed.]

GEORGIA AND THE JUDICIARY.

From the Georgia Athenian.

JUDGE CLAYTON'S CHARGE TO THE GRAND JURY OF CLARK COUNTY.

Gentlemen of the grand jury:

A circumstance of some interest to the community, of which we are a part, imposes upon me the necessity of departing from my usual silence in relation to grand jury charges.

The legislature of this state, at their last session, passed an act "to add the territory lying within the chartered limits of Georgia, and now in the occupancy of the Cherokee Indians, to the counties of Carroll, De Kalb, Gwinnett, Hall and Habersham, and to extend the laws of this state over the same, and to annul all laws and ordinances made by the Cherokee nation of Indians, &c."

It will be perceived that three of the counties to which jurisdiction is given for executing this act, belong to the circuit over which I preside; and, although no duty in relation to it can devolve on you, yet there are two motives influencing me to embrace this the earliest occasion, to take and express a public notice of the law:

First—As it is my fixed and determined purpose to enforce the act, founded upon the most deliberate and conscientious belief of its constitutionality, which has been so much questioned, I desire to know whether the court will be supported in this resolution by the people of Georgia. This is a plain and perhaps a startling language, but the occasion requires it and none other. If the laws are to be enforced, and no law can be executed contrary to public opinion, the public sentiment must not falter; it must come right up to the point, and be willing to meet all consequences; some of which, as will be presently shewn, possessing the most delicate character, are likely to occur. If it is not be enforced, if it is to remain a dead letter, or, what is worse, to be held out only as an expedient subject to all the indecision of such a condition, it ought to be repealed; and, as the elections are at hand, the people will have a fair opportunity of settling the question, through their representatives, at the next session of the legislature.

Second—My other purpose is to apprize the Indians, that they are not to be oppressed, as has been sagely foretold: that the same justice which is meted to the citizen shall be meted to them. But, that they must not be de-

ceived by false friends, who care no more for them than for the wild beasts of the forests, any farther than it serves a miserable selfishness, too hollow-hearted for an open avowal, and too infamous for an honest discussion.

If I am asked what has made it necessary to bring the public attention so strongly to a contemplation of the probable results of this law, I reply,

1st. Besides the fact *officially* announced in the council of the Indians, lately assembled, I have received information from the executive branch of this government, that counsel have been employed by the Cherokee nation, to raise for the adjudication of the supreme court of the United States, the question "whether the state has a right to pass laws for the government of the Indians residing within its limits." Now, without intending the least disrespect to that court, to whose constitutional authority this and all other state courts, I hope, will most cheerfully submit, this question can never go from a court in which I preside, until the people of the state yield it, either from a conviction of error, ascertained by their own tribunals, or the more awful sense of their weakness to retain it; and, it is useless to disguise the matter, to this issue the question must come, if the state is true to itself. I shall try all cases which may come under the law, and wholly disregard all interference from abroad. The punishments, if any shall be necessary, will be promptly inflicted, save only such as the usual suggestions of humanity may otherwise require.

2d. There has been a most shameless intermeddling, in this matter, on the part, I will not say of other states, but by some of the people of other states, as utterly without right or pretext, as it has been wanting in decency and respect. Meetings have been held in all directions, to express opinions on the conduct of Georgia, and Georgia alone, when her adjoining sister states had lately done precisely the same things; and, in doing which, she and they have done no more than what the very state of these sensitive complainants had effected, from time to time, with an equal regard to their interests, and with infinitely less humanity and forbearance. And, what is conclusive of the fact, Georgia is an old state, with one-third of her territory yet in the possession of the Indians, while all the other states, old and new, have nearly rid themselves of this charge.

These meetings have not been content with the expression of opinions, on abstract principles, relating to the rights of the general government, in respect for which, Georgia yields to none of them; but they have most insolently attempted to dictate our course in reference to our private concerns. They have denounced the laws passed by our legislature for our municipal regulations, in matters perfectly unconnected with any dispute with the federal government.

In discussing these subjects, they have indulged in a language unbecoming any privilege of fair debate, and certainly unworthy of any deportment of men, who either claim or court the distinction of gentlemen. Witness the late Kentucky meeting, gotten up for a sinister political purpose, packed and removed by a secret prompter, in which it was declared, in their 7th resolution, that they viewed the late law for the removal of the Indians, "as having been wrested from the government by the dictation of the state of Georgia, to secure Indian lands, not for the people of the United States, but for that state, which neither the density nor existing wants of its population require." To which was added the further declaration, "but which is needed only for the purpose of being gambled off in public lotteries." This last, however, was stricken out through the exertions of a friend of Georgia, doubtless more from a sense of crafty prudence in the director behind the curtain, the last quarter from which the charge of gambling should come, than from any suggestion of either common propriety or becoming modesty in the meeting; qualities, it would seem, with which they were not distressingly overburthened.

These unwarrantable liberties have not only been taken against the character of the state, in town meetings, but even members of congress, lost to the true character and high dignity of their stations, have descended to a strain of abuse and reckless aspersion, to say the least of it, outraging every dictate of good breeding towards a sovereign state, and surely very wide of all sense of self-respect, if, indeed, by them, such an influence is either felt or understood. A senator from New Jersey, speaking of the Georgia law, calls it "an oppressive edict of arbitrary power," and declares "history furnishes no example of such high-handed usurpation—the dismemberment and partition of Poland was a deed of *humane* legislation, compared with this." He charges the state with putting in operation "grinding, heart-breaking, exactions," to drive the Indians from their country, and finally gives it as his "religious belief, that if the law is *enforced*, it will awaken tones of feeling that will go up to God, and call down the thunders of his wrath."

This is not all, another class of men, styling themselves the heralds of the cross, with an officiousness ever characteristic of pretended piety, and who follow religion less for its hopes than its honors, have lent themselves as willing tools to the projects of political ambition in this crusade against Georgia, merely for the crumbs that may fall from the success of the undertaking. Is this language too severe?—it is then because it is too true! To the truly pious no part of it is applicable; and no man of this character need take any exception to the remarks. It is solely intended for a class, who certainly do not reside in the south, but who call themselves "the learned and efficient clergy;" of whom I would say to the people of this nation—Beware!

I will pass over many instances of gratuitous intrusion on the part of these men, in proof of the statement made, and which must be familiar to every one who has read the current pamphlets, and papers of the country, and cite you to a case which their *holy* zeal has carried even into Europe. At a late meeting of a missionary society in London, a Mr. Milner, of New York, reverend I think they call him, who happened to be in attendance at that meeting, roundly asserted to the society, amidst its repeated cheers, that "if the cause of the negroes in the West Indies was interesting to that auditory, and deeply interesting it ought to be—if the population in Ireland, groaning beneath the degradation of superstition, excited their sympathies, he trusted the Indians of North America would also be considered as the objects of their Christian regard. He was grieved, however, to state that there were those in America who acted towards them in a different spirit, and he lamented to say, *that, at this very moment*, the state of Georgia was seeking to subjugate and destroy the liberties, both of the Creeks and Cherokees; the former of whom possessed ten millions of acres of land, and the latter six millions." Now here is a statement that is as false as God is true, and known to every person the least acquainted with public affairs. Since the 12th day of February, 1825, the Creek Indians have not resided nor even owned one foot of land within the limits of Georgia, and with them, since that time, we have had nothing to do. These are facts with which the world is constantly plied, and by which, of course, it is as certainly deceived. This cold blooded misrepresentation is uttered and spread through a foreign land. It is proclaimed by a man against his own country; that man is an American; and that American pretends to be an ambassador of the living God. As a man it is detestable, as an American, it is perfidious, but as a minister, it is shocking! No man dare plead ignorance on such an occasion, for where detraction results from the words, the speaker is bound to know, and *well know*, the facts; and the maxim justly applies, that ignorance is a crime where knowledge is a duty.

I have thus given you a fair sample of the subtle calumnies that have been the daily product of an active malice, combined with the restless ambition of off-cast statesmen, the more revengeful because disappointed, and the more unrelenting, because fanned and inflamed by a heartless priesthood. These have been put in operation against Georgia, only because in her politics, as connected with the just and honorable views of the chief magistrate of the union, it is considered that a flattering opening is presented to destroy his merited fame, and to regain to themselves a justly forfeited confidence, long abused and never deserved; but fortunately for him and the state, they afford a species of falsehood, which, from its frequency and folly, has lost the power to deceive, and almost the merit of disdain.

But what makes these circumstances the more insulting, they have transpired under a character of inconsis-

tency of more unmixed hardihood than ever came from the front of the most unblushing impudence. Would any one believe that at the very moment Georgia was receiving such universal obloquy on account of the Indians, the state of New York was removing her own Indians to the *frozen regions* of Green bay, and making them pass through all the trying and affecting scenes which have been so compassiontely portrayed for the Cherokees? That in some of the other northern states the few scattered remnants of this unfortunate race, that were spared from the butchery of dogs, are now in a condition, compared with which, even slavery has nothing more oppressive.

Who says any thing against New York and these other states? Is Georgia the only state that has attempted to govern the Indians within her limits? Indeed, where is the state that has not done it? Has not Alabama, Mississippi and Indiana lately done what Georgia has? Who complains of their conduct? No! the truth is, Georgia has submitted long enough to these outrages, it is high time to fling these calumnies back into the teeth of her slanderers, and that it may be done with the best effect, it should proceed from the highest moral and political eminences of the state. Further submission will only provoke further insult; and as to reproach, on the score of recrimination, we have nothing to fear, for such is the character of their delamation, it utterly contemns all retaliation, from any source which feels and acknowledges the authority of those well known courtesies that govern and refine the force of public opinion. In any thing I have said, or expect to say, I do not wish to be understood as intending to convey any threat, especially against the federal union. This is too sacred a subject to be trifled with, and commands, at all times, and in all places, our most unqualified affection and support, so long as it moves within its legitimate sphere. Threats are idle and weak, and oftner betray a wrong than a right cause, proceeding upon the idea that more is to be gained from physical than moral power, and that an adversary may be alarmed into compliance—this is not designed. But such is the nature and habits of our institutions, that they require and secure the utmost freedom of speech in relation to all our rights, and more particularly our wrongs. I have mentioned, there, the foregoing matters to shew you what we may expect in attempting to carry our law into execution. If what we have witnessed be done "in the green-tree, what may we not expect in the dry?" We must be prepared for all events, if we design to assert our rights over the territory of the state; the object must be pursued with a steady and unflinching purpose, or it ought to be abandoned altogether. So long, however, as the law remains unrepealed, the country has my solemn pledge that it shall be faithfully and impartially administered, so far as I am concerned. I only require the aid of public opinion and the arm of the executive authority, and no court on earth besides our own shall ever be troubled with this question.

To our citizens I would say, let us falsify the prophecies that have been made as to the treatment which the Indians are to receive at our hands, by exercising towards that unfortunate people, the utmost kindness, justice, and humanity. Their personal rights must be respected. To the Indians I will repeat, they have nothing to dread, as far as they are concerned, either from the character of our laws, or their mode of administration, for if *we* can live under them, *they* surely can, and no distinction shall be made in their execution.

MEXICAN BOUNDARY.

Considerable excitement exists in Arkansas in relation to the boundary line between the United States and Mexico. By the treaty with Spain, of Feb. 22d, 1819, the boundary was agreed on, but the line has not yet been run, as was therein determined, by commissioners of the two governments. An *ex parte* survey, made by officers appointed by the Mexican government *alone*, throws on the Mexican side of the line several flourishing and populous settlements heretofore supposed to be in Arkansas; and the Little Rock Gazette says—

This state of things, as may well be expected, produces considerable excitement and uneasiness among the citizens of the country in dispute. Some of the settlers are in favor of the Mexican authorities, and threaten to set the civil authorities of this territory and of the U. States at defiance, while others adhere to our government, respect and obey our laws and authorities. The civil authorities, however, of Lafayette county, we understand, continue to exercise jurisdiction over the disputed country in that county, and we have not yet heard of any act of violence being committed against them; and we hope the good sense and discretion of the people of that section of the country will not permit any to be committed, as it will inevitably bring down injury and perhaps ruin upon those engaged in it. The probability is, that measures will be promptly taken by the president of the United States, to settle the question of boundary between this country and Mexico, and until then we think it would be folly in those residing in the disputed country, and within the limits of the country over which our authorities have hitherto exercised jurisdiction, to throw off their allegiance to the United States and set our laws at defiance.

The governor of this territory has addressed letters to the secretary of state of the United States, (and also forwarded to him copies of letters which he has received from col. Milam and col. Bean, the latter a military officer), representing to the president the necessity which exists of taking immediate steps to have the boundary line between the United States and Mexico run and established. Some months must necessarily elapse before the proper measures can be adopted by the two governments to run the line, but from the known energy of the president and his promptness in attending to matters of such great importance, we have no doubt that this business will be arranged with as little delay as practicable.

Gov. Pope has also applied to the president for instructions how to proceed, under existing circumstances, until the line shall be legally established. In the meantime, however, we are authorized by the governor to state, that he will continue to administer the laws of this territory over the country, in dispute, to the extent that they have been heretofore administered, and that he shall expect the civil and military officers of this territory to execute the laws in that country to the same extent, and, in no event, to suffer the authorities of any foreign power to encroach on their jurisdiction. This determination of the governor, we have no doubt, will be approved by the president; and we consider it equally certain, that he will receive instructions to hold possession of the country in dispute, until such time as the boundary line between the U. States and Mexico shall be run and established agreeable to the stipulations of the treaty.

The line which is said to have been thus informally run by the Mexican commissioner, whether it be correct or not, cannot be considered binding on the United States, inasmuch as it is an *ex parte* line, and run without their knowledge or approbation. Many well informed persons from that section of the territory with whom we have conversed on the subject, express confident belief that the line will strike Red river near Pecan Point, which is a considerable distance west and north of the line run by the Mexican commissioner, and would cut but a small portion, if any, of Lafayette county. But, let the line strike Red river where it will, it is a matter of great importance to the citizens of the southern section of our territory, and to all the parties concerned, that it be legally established as early as practicable. And, as Arkansas has a deep interest in the stake, we hope the president, in selecting the commissioner and surveyor on the part of the United States, will not forget her claims.

CUSTOM HOUSE.

Philadelphia, 15th Sept. 1830.

The following is published for the information of those concerned:

[*Treasury department, July 3d,* 1830.

SIR.—Your letter of the 29th ult. enclosing one from the appraisers, in relation to the first clause of the 3d section of the act for the more effectual collection of the impost duties was duly received.

It may be observed that the law provides as follows: "From and after the 30th September, next, whenever goods of which wool or cotton is the component part of

similar kind, but different quality, if not imported from beyond the Cape of Good Hope, are found in the same package, it shall be the duty of the appraisers to adopt the value of the best article contained in such package as the average of the whole"

The only points which appear to require explanation are 1st, as to the kind of goods embraced; the words are so clear and comprehensive that no reasonable doubt can exist of the legislative intention to make no exception which is not expressed, unless there may be some articles of which wool or cotton is a component part not liable to advalorem duty; as no other than advalorem goods are subject to appraisement, it is presumed that these only are embraced.

The 2d point is the size of the package, as this is not fixed by law, and it may cause great inconvenience, to require the most valuable goods, in proportion to their bulk, to be put up in packages of the usual size, containing articles of all the same value, it was deemed within the proper powers of the department, and in conformity with the intention of the act to authorize the diminution of the size of the package as a substitute for assorted packages, which have been adopted for the convenience of trade in the importation of certain descriptions of articles. The provision of the law applicable to this point is as follows: "The appraisers shall adopt the value of the best article in the package as the average value of the whole." Neither the terms of the act nor the common acceptation of the word package, admit of its being considered as synonimous with article or piece, it was not therefore intended by the instruction of the 16th to authorize the putting up goods, in single pieces under the designation of packages. The law evidently intends that after the 30th September, the goods embraced in its provisions shall be imported in packages containing articles of uniform value; not with a view to prevent frauds on the revenue, but to promote uniformity and despatch at the custom house, and facilitate and simplify the business of the appraisement; all these objects will be frustrated if each article or piece of goods is deemed to be a package, it is easy to affix a false value to each piece as to average the whole.

In the construction given to the meaning of the term *package*, the department has sought, as far as was consistent with the intention of congress, to conform the operation of the law, to the customs of trade among fair dealers. It is believed that the only proper object of making assorted packages, may certainly be accomplished, by putting up the articles of the same kind and quality, by themselves, into packages suited to the convenience of trade.

It would certainly be less difficult to assort laces (which are selected as an example of the inconvenience of the law) according to their respective values, and put up each quality separately, than to mix them, and so of all other goods.

The circular of the 16th ult. it is believed, will have removed every real difficulty; but if any attempts be made under color of the construction therein given, to violate or evade the law, the party making such attempt will subject himself to the penalty of the 4th section of the act which provides that "If any package or invoice be made up with intent, by a false valuation, or extention, or otherwise to evade or defraud the revenue, the same shall be forfeited."

If it should be found that the time fixed in the act (30th Sept. next) for carrying into effect the provisions of the 2d section will have been too short for a due notice to all who may be affected by it, congress alone can grant relief, but it may be proper in the mean time to adopt measures, for ascertaining at the respective custom houses, when the goods are appraised, the amount of the increase of duty, which may accrue from the average upon the best article in each package, as to all goods ordered before the promulgation of the act, and instructions for this purpose will be prepared in due time.

A special inquiry is suggested in your communication as to what be considered a package of hosiery; upon this point I have to remark, that the principles on which the instruction is based, have been so fully explained, that there can be no difficulty, on the part of the fair trader, in complying with its requirements, but it is not to be expected from the treasury department to give special instructions upon any stated case. The intention of the party and various other circumstances which cannot be anticipated, and which must be judged of when the case occurs, perhaps by another tribunal, must determine the legality of the transaction. I have the honor to be your obedient serv't, S. D. INGHAM.

J. N. Barker, esq. *collector, Philad.*

INTERESTING COURTESIES.

The New York Post of Friday says:—"Our readers will recollect that in one of the late severe gales of wind with which our seaboard was visited, the corvette Kensington, on her way from Philadelphia, bound to St. Petersburg, with the Russian minister and suite on board, was, after being at sea a few days, dismasted and otherwise injured. In this crippled state she was fallen in with by the schooner Superior, belonging to Mr. Silas E. Burrows, of New York, then on her passage from New York to the Pacific Ocean on a sealing voyoge. The captain of the Superior, at the pressing solicitation of the Russian minister, took him and a number of other gentlemen, officers in the Russian navy, on board, and brought them to this city. Soon after they landed the following correspondence took place between the owner and baron Krudener, which we take great pleasure in laying before the public, as honorable to our commercial reputation and character."

New York, September 3, 1830.

His excellency baron Krudener, envoy extraordinary and minister plenipotentiary from Russia to the United States:

Sir—I am informed by captain Conger, of the sealing schooner Superior, belonging to me, that on his passage to the South Seas, in lat. 38, lon. 68, he fell in with Russian corvette Kensington in a dismasted state of distress; and was induced, from your solicitations, and those of the Russian admiral and officers with you, to return to this port, and safely landed your party (nine in number) last night, all well.

Capt. Conger informs me that he made a most advantageous contract for my interest—that any amount I thought proper to demand, your excellency had agreed to pay. I am, sir, a traveller—often have been a sailor—and my feelings cannot be led astray by any pecuniary considerations. I *shall not* receive any compensation for the service rendered you, knowing that you will repay the same, if chance should place any of my suffering countrymen within your reach. The captain assures me the amount I receive is to be paid by the Russian government. This in no manner changes my decision, as I consider individuals should act to governments, and governments to individuals, as individuals to each other; and I am happy in having this opportunity of shewing the Russian government (which has invariably been the friend of my country) the feeling that a citizen of the United States entertains. I send you by the bearer twenty-seven trunks and cases of baggage, belonging to you and friends.

Wishing you and your companions every blessing, and a safe return to your country, I remain your most obedient and very humble servant,

SILAS E. BURROWS.

New York, 4th September, 1820.

My dear sir—I regret that the contents of your letter of yesterday, deprive me of the satisfaction of expressing otherwise than in words, my sense of the services rendered to my government and myself by the commander of the schooner *Superior*, who landed me and the officers of the imperial navy, and enabled me thus to accellerate the return of these gentlemen to Russia, at a time when, if the aid of your vessel had not been afforded us, an unfavorable wind might have for weeks together, precluded the Kensington's making this port. His majesty the emperor, has too vivid a perception of that which constitutes the feelings of rightful honor and generosity, not to appreciate fully the resolution you have taken to reject the compensation for the loss of time and the trouble occasioned to captain Conger, which it was my duty to offer you. His imperial majesty will feel it the more, that independently of the high motives of a general nature which actuated you in this circumstance, you express in your letter the particular satisfaction it gives you, to have an opportunity of obliging the Russian

government and nation, whose sentiments and conduct you justly observe to have been constantly of the most friendly character towards these United States. It gives me personally more pleasure than I can find words to describe, thus to receive an additional proof of the feeling of good will existing between the two nations. To that state of things the emperor will ever attach great importance, and he will learn with pleasure, that through your means, it has been placed in a clearer light.

Accept, dear sir, my thanks, and those of the officers who accompanied me, and at the same time the assurance of the sincere attachment and esteem which your conduct towards us all, so fully warrants, and which we are fain to extend to your countrymen and country, in whose name you have conferred upon my government, upon myself, and upon the officers of the imperial navy, who were with me at this juncture, the obligations, of which I have in the preceding lines attempted to express the deep and unvarying impressions.

I have the honor to remain, with high consideration, dear sir, your obedient and humble servant,

BARON KRUDENER.

SILAS E. BURROWS, esq.

"WANT OF RELIGIOUS BELIEF."

From the Lowell Mercury.

In the late trial of J. F. Knapp, at Salem, "John C. Palmer, [being] called"—Mr. Gardiner said, "We object to him on the want of religious belief." The court replied, "you have your choice of the mode of proof, but if you enquire of him you cannot prove it in any other way. The *witness* was then *sworn* to *answer*. Gardiner then put the following question to him. "Do you believe in the existence of Divine Providence, and in a state of future rewards and punishments." Answer "I do."—"Witness then sworn in chief,"—and admitted as a *good* evidence!

We wonder that our courts continue to countenance the impertinent and wicked custom of catechising witnesses on the subject of religion. We freely admit that we do not see the propriety of swearing an atheist in the common form; but we do not see what is to be gained by catechising.

Suppose for example that a man is in reality an atheist, and *wishes* to testify, having no religious belief. The want of *belief* nullifies his testimony. This was taken for granted in the beginning. He is given to understand that his oath will go for nothing. Being an atheist, he is informed that if he will swear to a *lie*, on being first sworn and questioned, that lie will be taken as good current truth, and all he testifies to afterwards, into the bargain. He is *then* asked, (having no religious belief), "Do you believe in the existence of Divine Providence, and in a state of future rewards and punishments?" "I do," is his answer; and his *lie*, which makes him a competent witness as long as he *sticks* to it. Such contemptible casuistry is not befitting an American court of law and justice! What! *Swear a witness to ascertain whether he be fit to swear! Take his word, which is good for nothing, to ascertain whether his testimony be good!* Out upon such nonsense! Let a witness's testimony (whatever his religious views may be) weigh just as much, as his *moral character*. Let witnesses be tried *by a strict moral test*—but away with the religious (or rather *irreligious*) tests, now, and forever.

INTERESTING LAW CASE.

From the Baltimore Gazette, of September 9.

[In the Baltimore county court, before judge Hanson.]

McTavish vs. *the proprietors of the Union Line of stages.*

OPINION.

The evidence on the part of the plaintiff, proved that the Union Line being overtaken by the opposition within seven or eight miles of Baltimore, the driver of the former, in order still to keep ahead, used the usual method of running across the path of the opposition: where the ground did not permit this, he urged his horses to full speed, notwithstanding the entreaties of the passengers, and among the rest the plaintiff, who begged him to desist, and let the opposition pass him. When the two stages reached the corner near Pratt street, where a road to the right passes by the chemical factory, the opposition turned off; on perceiving which, the driver of the Union Line started at full speed, to prevent the other reaching Baltimore street before him. He continued at a gallop, until he met some carts between Green and Paca streets in Pratt street, against one of which the stage struck, and, *on account of its great velocity*, was overturned. The plaintiff's collar bone was broken in two places, his forehead much cut, and he was confined for six weeks by the accident.

The evidence on the part of the defendants proved that the driver of the Union Line was of excellent character, and much skill; that the proprietors had given him express orders not to race against the opposition; and that, immediately after the accident in question, he had been dismissed from their employ, and although frequently seeking to return to it, had been invariably refused. He was examined as a witness, after a release from the defendants, and stated, that, at the time of the accident, he did not think much about his orders, but was anxious to get into town before the opposition.

After the testimony was closed, the counsel for the defendants prayed that the court would give the following instructions to the jury.

"That if the jury shall find from the evidence, that the defendants in the cause expressly forbade the driver of the stage to race against the opposition line,—and that disregarding and violating said order, the said driver did race their stage,—and that the injury suffered by the plaintiff was an immediate consequence of such wilfulness of the driver, and violation of the express orders given to him by his employers, that then, in such case, they, the defendants, are not liable in damages for said injury."

This prayer the court refused, and delivered the following "OPINION."

The prayer and the argument in support of it on the part of the defendants have proceeded, we think very correctly, on the ground, that in order to sustain the action against the servant, his act must have been in its inception tortious, and evidence has therefore been given that the driver, in racing against the opposition, did so against the express orders of his owners, and that therefore his conduct, being wilful, is rendered tortious in the eye of the law. The objection to this conclusion is, that no direction which the master could give to his servant, or to duties and conduct which the law of itself imposed, could alter the nature of the obligations to the plaintiff, or affect the character of, or the distinctions which the law creates between the different remedies it affords—and from a careful examination of a technical question touching the rights and interests of a very useful body of men, affording great accommodation to the public, and the rights, interest and safety of the public itself, we think that the best rule deducible from a collation of the authorities is—that inasmuch as a servant can be sued in trespass vi et armis, only where the master is not liable (except where they are joint trespassers) so the master is always liable where the servant is not; and both are liable in an action on the case when sued jointly for a joint act. Are the facts then before us such as to sustain an action of trespass vi et armis or an action in case?

To sustain the former, the act complained of must be tortious and in itself actionable, that is to say, not only *wilful* in the sense contemplated by the prayer of the defendants, but intentional, direct, and immediately effecting an injury (no matter how slight) and from its character indicating a design to molest at the moment the rights of others. Now although the racing of a stage may be a misdemeanor, and indictable, being contra bonos mores and endangering the safety of the public at large, it is not of itself actionable; the injury arising from it, is therefore technically incidental, and consequential, and the remedy is in case, not in trespass; if therefore the cart or the horse against which the driver ran had been injured, the action would be case against the owners not trespass against the driver, *the act of racing the stage was wilful, not the running against the cart.* If this be the true doctrine as regards the rights of third persons; who are strangers and not at all included in the obligations of the owners and passengers, the reason for it in the case of the latter is in so much stronger as the injury to them is the more remote; the racing of the stage cannot imply, of itself, any immediate intention of injury to

a passenger, and cannot give him an action of trespass vi et armis against the driver—What *tort* does the latter commit? The damage is consequential and no injury, however slight, necessarily, immediately or even remotely ensues from it, nor can the nature of the remedy be in any way changed by the orders of the owners, to drive carefully, for the driver is bound to do so by law, and they are bound for him. The legal qualities, therefore, of his *wilfulness* are not altered by orders, for his wilfulness may be as great with as without orders; and if the owners had given express orders to the driver to contend with the opposition line at all hazards, *that* would not give the right of action against them, nor *create* obligations to the passengers—no orders could diminish, but might increase the risque and extent of liabilities; by making them answerable for greater damages, and also as joint trespassers,—for we hold, that as long as the relation of master and servant continues, the liability of the former continues; and it only ceases when the driver goes out of his character as such. The responsibility of a master flows in a great measure from the nature of the service; if a driver *wilfully* runs against a carriage or passenger, he does not act in the character or according with the nature *of his duties and employment;* he, as the book says, is deemed in such a case to depart from it altogether, and to assume the character of an owner; but not so as regards the act of immoderate driving; it partakes of the very nature of the employment and, as such, must be regarded, as respects a passenger, as done during the existence of the relation of master and servant between the owner and driver; and while that relation subsists (and cannot be severed by the very sort of indiscretion which drivers are most apt to and daily commit) can it be doubted that the owners are at least as responsible for the consequences of immoderate driving as for any other kind of negligence, carelessless or unskillfulness. Every man is supposed to know the nature of the business he is engaged in, and the sort of liabilities he must encounter in it, from the probable misconduct of his agents in reference to the peculiar nature of the service. No man is made answerable for the crime or the malice of another, and is therefore not punishable for his direct tort, but if a man choose to employ an agent in a concern especially requiring in relation to the rights of others, carefulness, attention and skill, and any person is induced to repose a confidence in such agents, he is entitled to redress from the principals for any injury he suffers from the disregard or negligence of that *peculiar* carefulness, attention and skill. The owner of the stage, and not the passenger, is supposed to be acquainted with the character of the driver, and the owner in the employment of drivers is bound to guard against those very indiscretions *most*, which they are *most* in the habit of committing. If the owners are deceived in the characters of their drivers, let them seek remmeneration for misconduct from those whom they have thought proper to confide in; accordingly, the law gives a right of action to the master against the servant, in which he is entitled to recover damages commensurate with those that may have been inflicted upon him in consequence of being liable for the wrongs done by his servant. When a passenger takes a seat in a public vehicle there is *an implied assurance in law cast upon the owners*, that they will cause him to be carried, *not absolutely safely*, but *carefully*, and that they will employ proper and competent drivers, and that he is not to be subjected to the dangers and risques of improper and dangerous driving of any kind, and that if he is injured, he is not to be turned round to ask for damages from persons generally irresponsible, with whom he has made no contract, and with whose qualifications he is not expected to become acquainted, and over whom he can have no control.

After the argument of counsel had been heard, the jury retired, and after a short absence returned into court, and delivered their verdict for the plaintiff—damages $600. Latrobe for plaintiff, McCulloh for defendants.

MR. BROUGHAM.

The following paragraph, extracted from Mr. Brougham's dinner speech, delivered in Leeds on the termination of the recent election, will be read with some interest, as it is calculated to favor the impression that an application must have been made to the British government to violate their revenue laws and permit the baggage belonging to the exiled King of France, and his friends, to pass into the country without inspection.

Gentlemen—The people of England have pronounced for liberty, and have denounced their hatred of tyranny, slavery and oppression—slavery in all countries and all climates, and whether this liberty be opposed by his most Christain majesty, his most Catholic majesty, his most Faithful and his most Apostolic majesty, or by his sublime majesty, they must all bend the neck and be trampled in the dust by freemen. While we are celebrating here the triumph of these principles, the voice of our acclamations is drowned in the shouts of victory raised by the freemen of France, who are celebrating a victory more glorious than our own, but it grieves me that even a passing cloud should shoot athwart this blaze of glory, and that while all men are rejoicing in this victory gained over the foulest tyranny, it grieves me to add, that there is reason to fear that the government of England does not sympathise in this joy of the people.—It wished well to the administration of Polignac, almost in the very last stages of its madness [cries of no, no]. Perhaps—I hope not in the very last stages; but I know this, that the ministry of England wished right well to this administration about a year ago. But I shall, in a moment, bring them to the test. If there were a man who had committed the most atrocious murder, who had been for a time the terror of his village, but the inhabitants of which had at length overcome him, and he had fled from the vengeance of its laws to this country—I do not ask if you would give him up, but would you receive him with open arms—not only open your ports for him, but send down orders to break the law in his favor; to direct that the baggage which contained the plunder he had taken from the men he had murdered, the spoil he had got from the man whose throat he had cut, should be given to him unsearched, untaxed? If you disapproved of his tyranny, I should rather think not. Would you then receive the man who ordered his cannon to be fired down a street filled with innocent men, women, and children—a street as much crowded as you have just seen Coney-street in this city, when our procession was passing through it—and who, when he has killed thousands upon thousands, runs away—a cowardly miscreant, who has at once the cruelty of a tiger and the courage of a hare? Is this the man whose baggage you would suffer to pass unsearched, in whose favor you would break the laws of your country? If the government of England should do this, they will deserve impeachment at the hands of the people, [cheers]. The family of the Bourbons has long been odious: the only good man in it is the duke of Orleans, who, when he was an exile, disdained to live like the rest of the family, as a pauper on the alms of a foreign nation, but earned his subsistence by his own industry; and he is now proud of having been once a school master. I know him well; he is a sensible and a good man, but a man more unlike a prince I never saw. I have now lived to see him king. I trust the French people will show the same magnanimity after their victory as they showed gallantry in achieving it, and that they will wait patiently until the authors of these calamities are brought to trial for their punishment, and that those who have massacred 3,000 people in the streets of Paris, will receive the reward they so justly merit. This family, which has so often drenched Europe in blood, has already paid half of the forfeit of its crimes, and the remainder will be soon exacted. It was said by Dante, the poet of Italy, who has so well described the horrors of the infernal regions, in speaking of the first of this race, that he was the butcher of Paris—his father having been a butcher in that city; and the same title of butcher of Paris may, with still greater propriety, be applied to the last of his race. In my late visit to the West Riding, where this astonishing intelligence first reached me, I omitted no opportunity of introducing this topic, and the first morning I addressed the people at Leeds I introduced it, nor did I ever address any meeting without receiving those demonstrations of feeling which convinced me that there was but one opinion entertained respecting it—that of sympathy with the people of France, and of indignation against the tyrant that oppressed them.

NILES' WEEKLY REGISTER.

FOURTH SERIES. No. 7—VOL. III.] BALTIMORE, OCT. 9, 1830. [VOL. XXXIX. WHOLE No. 995.

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES & SON, AT $5 PER ANNUM, PAYABLE IN ADVANCE.

CHARTER OF FRANCE. Having published a copy of the charter *granted* by Louis the 18th, we now give a copy of that which was *established* by the representatives of the people, and sworn to by Louis Philip—marking most of the alterations.

SEQUENCES! The passage of the Balkan, by the Russians, opened to us the commerce of the Black Sea; and the ordinances of Charles the 10th, to render the people of France slaves, may lead to an adjustment of our claims for spoliations committed in the reign of Napoleon! Thus one event is "dove-tailed" to another, without any seeming affinity.

THE HOME MARKET. The consumption of cotton at Providence, R. I. and its vicinity, for the year ending 30th Sept. was 43,000 bales, worth $1,700,000.

This cotton has been manufactured into about 70,500,000 yards of cloth, which has sold at about nine cents per yard, averaging the different qualities and prices, thus producing a gross sale of $6,450,000.

Of this sum, a very great proportion has been returned to the south, in payment for cotton and provisions, leaving to the manufacturer a reasonable profit, if an opinion may be formed from the cheerful activity which now prevails in this neighborhood. [*Prov. Jour.*

"EFFECTS OF THE SYSTEM." Money, hard dollars, have become very plentiful in the United States. The supply of specie is larger than it has been for many years past. Dollars are *remitted* from England in the place of goods, and all the world is apparently in debt to the United States: exchange on the United States, at London, is above the real par, sufficiently so to pay freight, insurance, &c. on the transmission of dollars. What has caused this? THE HOME MARKET FOR OUR FARMERS, IN THE PROGRESS OF OUR MANUFACTURERS. Herein is the true "politics for farmers."

A NEW PAPER is proposed to be published at New York, by Mr. E. V. Sparhawk, to be called the "Daily Herald"—and become an earnest supporter of the "American System."

Such a publication is much needed in the city of New York, and we wish the fullness of success to the undertaking.

INTERNAL IMPROVEMENTS. Extract from a reply of gen. Jackson to the Hawkins county, (Tenn.) committee, from the Washington Telegraph of last Saturday:—"My course, in withholding my approval of the Maysville road bill, was plainly pointed out, as I believe, by the constitution; and, if sustained by the majority of the people, will restore me to private life with the pleasing reflection that I have neither violated my official duties, nor weakened that sacred instrument, with which is indissolubly bound the liberties of our common country. I trust it may have the effect of awakening public attention to the importance of extinguishing, as speedily as possible, the public debt—to the baneful consequences necessarily resulting from a profligate expenditure of the public money, and to the necessity of restoring the government to its original simplicity in the exercise of all its functions."

APPOINTMENTS BY THE PRESIDENT OF THE UNITED STATES. *Elijah Hayward*, one of the judges of the supreme court of Ohio, to be commissioner of the general land office.

William Findlay, of Pa. to be treasurer of the mint of the United States.

NEW YORK. The New York Evening Journal says that gen. Root *accepts* the nomination of the Working Men's convention at Salina; and expects, in a few days, to give his "unequivocal acceptation," &c. Mr. Pitcher, it is variously stated, will not accept.

ALBANY. The election for charter officers was held in this city on the 28th ult. The "Argus" divides the parties into "*republican*" and "*coalition*." The "coalition" ticket prevailed in the first, third and fifth wards, by considerable majorities, and partially in the 4th: the "republican," *alias* "regency," ticket, as it is called, succeeded in the 2nd ward by an average majority of 15 or 16 votes. Of the *twenty* gentlemen composing the board of aldermen, by whom the mayor is elected, thirteen are "anti-regency." The parties appear to have exerted themselves greatly, and a complete revolution has been effected.

MARYLAND. The general election in this state took place on Monday last, and a wonderful revolution has been effected. The administration party, last year, elected their governor and council by a majority of *seven* votes. Now the majority against that party will be forty-one. The political character of the senate is not changeable by the people until next year, but the governor and council, &c. are chosen by joint ballot; the senate, elected in 1826, stands 11 Jackson and 4 anti-Jackson; but the house of delegates just elected, will be composed of 64 anti-Jackson, and 16 Jackson members.

DELAWARE. The general election in this state was held on Tuesday last. The returns are not yet received, but it is morally certain that Mr. Milligan, the anti-Jackson candidate for congress, (in the place of Mr. Johns, who declined a poll,) has beaten Mr. Ridgely, late one of the senators of the United States, by a majority estimated at 500 or 600 votes.

It is believed, also, that the whole anti-Jackson ticket for members of the state legislature, sheriff, &c. has succeeded in New Castle county, by a small majority, which county, in 1829, gave a majority of 512 to the Jackson ticket. Mr. Milligan appears to have had a majority of 4 votes—Mr. Capelle, the anti-Jackson candidate for sheriff, 354.

GLORIOUS NULLIFICATION! In Georgia, some of the *counties* have set up a claim to nullify the laws of the state. It appears that each county in that state is, under the present constitution, entitled to one senator. A proposition having been made to lessen the number of members in both branches of the legislature; the small counties resist the proposition, and go so far as to say they will not yield, even if the constitution be amended to this effect! that they are "sovereign" counties, and will not yield their sovereign right to elect a senator! This is no irony, reader, but plain, downright, sober fact.

[*N. Carolina Observer.*

☞So, we shall have state-rights' men and county-rights' men—after that, township-rights' men, and village-rights' men; and nullification will be the "order of the day."

PUBLIC HONOR TO THE CHIEF MAGISTRATE. Yesterday, about 2 o'clock, P. M. the mayor of this city, and the civil magistrates (justices of the peace) of the city, Georgetown, and the county of Washington, generally, in a body, waited upon the president of the U. States; when they were received by him, accompanied by major Donelson his secretary, and a private friend or two. He was told by them that they did themselves the honor to call to pay their respects to him, and to congratulate him on his safe return to his official residence, for the purpose of resuming a more immediate discharge of the arduous and important duties of his public station. The president politely thanked them for their friendly

attentions and congratulations—treated them with the dignity, courtesy, and republican simplicity, which always distinguish him; and, after about half an hour's entertainment and reciprocation of the most cordial feelings and congenial sentiments, they retired. The magistrates all attended except a few, who were prevented by indisposition, and the unavoidable want of notice, or some other cause.

It is highly gratifying to observe that the citizens generally of the district are, by their personal attentions since his return, daily testifying to the president their high respect and consideration for him.

[*United States Telegraph, Sept.* 30.

[As this proceeding is probably the *first* of its kind that ever took place, we have thought it necessary to *register* it, hoping that it will be also the *last* of its kind. *Obsta principiis*, as Mr. Ritchie *used* to say. All these officers, except the mayor, are appointed by the president. The visits of private citizens, and others, in their *individual* capacities, is becoming, and highly proper.]

Col. McKenney. The Georgia Journal of Sept. 25th says—colonel *Thomas L. McKenney* has been removed from the head of the Indian bureau at Washington city. This is among the best acts of gen. Jackson's administration: and it will be so considered by all those who recollect the course of the "Washington Republican" under his auspices, even if they can see no other reason to be rejoiced on account of it.

[If such a severe judgment is justly rendered on col. McKenney, how great shall be the condemnation of the distinguished gentleman by whose name the "Washington Republican" was most commonly called, *as being his own*, when the colonel was regarded only as *his* editor, or "organ?"]

Capt. Hall, of the "R. N." who excited so much attention in the United States some years ago, by his own foolories and impertinencies, and who was also so courted by some as to encourage his overwhelming and nauseous *Anglicism*, is said to have a concern in the London "Quarterly Review," a work famous for its support of kings and *their* priests, and abuse of the United States.

A wag in London proposes that a certain essay in that review shall be "printed in gold and bound in pure white, the Bourbon color," and presented to the ex-king Charles, with this inscription upon it:

The Bourbon's fall
By Basil Hall.

Mistakes! The National Gazette quotes from a late speech of Mr. *Brougham* the following paragraph:

"Washington was raised to the *supreme power*, by the unbought voices of that country which he had served and saved—and after having been lifted to that proud eminence, he laid down the *sceptre* which his country had given him, when he found he could not wield it consistently with the liberty of the country which he had gained."

And very naturally adds—"What confused or erroneous notions of our history!"

Strict construction of the U. S. constitution. We find in the Charleston Courier the following article:

"About two hundred and thirty thousand dollars worth of Georgia gold is said to have been received in Augusta, within the last nine months. Report says, Mr. Templeton Reid, is coining and stamping, at his mint in Gainsville, (Ga.) not less than $700 of this gold per day. Allowing his profits to be 7 per cent. he is making about $15,000 per annum. This is better business than gold digging."

According to the constitution of the United States, art. 5, sec. 8, "congress shall have power to coin money, and regulate the value thereof," &c.; and by art. 1, sec. 10, it is declared that "no *state* shall coin money." But as the constitution does not express that congress shall have the *sole* power of coining; and as states only, and not individuals, are forbidden to coin, this Mr. Reid, who is doubtless of the Virginia school of strict construction, and who is not a state, finds himself at liberty to exercise this high attribute of sovereignty.

[*N. Y. American.*

French claims. We understand, says the New York Commercial Advertiser, that our collector major Swartwout, has received a letter from Mr. Ogden, American consul at Liverpool, in which it is stated that there is a strong probability that the new French government will speedily come to an amicable settlement of the claims of the American merchants for the spoliations of the imperial government upon our commerce.—Such a result we have eagerly been expecting from the favorable crisis in French affairs, and the great influence Lafayette now exercises in the French councils.

Interesting to editors. A case has been decided in New York, in favor of the N. Y. Daily Sentinel against Lee, Powell & Co. wherein the principle was confirmed, *that persons receiving a newspaper, without ordering it discontinued, are liable in all cases for the payment of the same.* This decision is important to editors, and we hope will have a salutary tendency among that class of persons who readily make use of the labors of others without being willing to pay.

The Cherokee gold-diggers. We have been already informed by the "Columbus [G.] Enquirer," that major Wager, had passed through that town, with a company of infantry under the immediate command of lieut. Alston, destined for the Cherokee nation; that they would also be reinforced by companies from Charleston and Augusta, major W. assuming the command of the whole; and that "the object of this augmentation of force in the Cherokee nation, is to displace the gold diggers, and aid the authorities of Georgia in executing the laws of that state over the Cherokee territory."

The Georgia Athenian of the 21st states, that major W. had arrived at his destination; and that he was doing something effectual for the removal of the gold-diggers from the territory; that "the policy pursued is, to destroy the provisions, camp-equippage, working utensils, or whatever else is found belonging to the diggers; while the diggers themselves are conveyed to the nearest ferry, and put across the river free of charge"—that at least one hundred of them "had been met in one day, who had been thus expelled from the territory, or had taken the hint from this gentle specific administered to others."

State of Georgia. By his excellency George R. Gilmer, governor and commander in chief of the army and navy of this state and of the militia thereof.

Whereas thousands of persons have entered upon the lands of the state, in the occupancy of the Cherokees, and are now, and have been for some time past, employed in taking great quantities in value of gold therefrom—And whereas this state of things was unforeseen by the legislature, and therefore no laws have been passed for the prevention thereof—And whereas the powers vested in the executive department by the constitution and laws do not sufficiently enable the governor to remove or restrain such trespassers—It is therefore considered that an extraordinary occasion has occurred for convening the general assembly of the state at a period earlier than that prescribed by law—I have therefore thought fit, and by virtue of the power in me vested by the constitution, do hereby require the members of each house of the general assembly of this state, to convene at the state house in Milledgeville, on *Monday the eighteenth day of October next*, then and there to deliberate and decide on such matters as the public welfare may render necessary.

Given under my hand and the great seal of the state, at the state house in Milledgeville, this twentieth day of September, in the year of our Lord one thousand eight hundred and thirty, and of American independence the fifty-fifth. GEORGE R. GILMER.

By the governor:

Everard Hamilton, *secretary of state.*

Waverly novels. A new and magnificent edition of these novels is passing through the press. It is said that the author will realize a profit of £60,000 sterling, and the engraver receive between 20 and £30,000 for the embellishments. Mr. S. H. Parker, at Boston, is republishing the British edition.

TERRIBLE. The British brig Matilda, lying at Bonny, on the coast of Africa, exploded on the 13th May. How the accident happened never can be known, for every one of the ship's company, with upwards of one hundred blacks who were on board, lost their lives, the Matilda being riven into atoms.

MR. JEFFERSON. The Edinburgh Review, No. CII. reached us by the Napoleon; among its contents is a review of Mr. Jefferson's memoirs and correspondence. The character of Jefferson's understanding is thus given:

"Jefferson's understanding and character were of a plain, bold, and practical cast—full of activity and strength. But neither in his politics, science, or literature, do we see any sign of genius or depth. His speculations are chiefly interesting from our curiosity to learn the opinions of so celebrated a person. There is scarce a tincture visible, from first to last, among all his multifarious disquisitions, of real philosophical sagacity, inventive observation, or refinement of taste. Independent and incorruptible himself, he was proud of the virtue of the party with which he acted, and confident in his belief that the popular will, whilst unvitiated by the perverse laws and corrupt habits of communities where commerce and distinction of orders had prevailed, might be trusted as the sole principle of government. This personal uprightness, and this confiding reliance in the trust-worthiness of human nature, under such circumstances, at least, as the population of the United States are placed in, are in singular contrast with the boundless suspicions he is always brooding over in the case of his federal opponents, and the sweeping denunciations which he promulgates against the privileged classes of Europe.—[*Nat. Gaz.*

A DANGEROUS BLAST. The Georgetown Gazette of late date, mentions that considerable excitement was produced in that town, by the effects of a blast of a rock in the line of the canal. It was what is called a sand blast: that is, when a large quantity of powder is strewed into the fissures of rocks, and then wedged up, and afterwards ignited by a train left for the purpose; such are of course dangerous in the midst of population, and had therefore been strictly forbidden by the officers of the company. Notwithstanding, it seems, such a blast was imprudently made—and, among other less important effects produced thereby, it is stated that a fragment of the rock, weighing *one thousand and forty-five pounds*, was thrown a distance of 400 yards, and, falling in Water-street, near the ware-house of gen. Walker Smith, it struck and instantly killed a horse, and demolished the cart to which he was attached; rebounding thence, it rolled across the street, crushing the wheel of a gig, (in which two persons were seated,) in its progress, and finally lodged on the opposite side of the street. It must be owned that such blasts are not to be tolerated in all locations, and we do not wonder that the appearance of such a dangerous missile, as a stone weighing 1,000 pounds, should produce "excitement" among the peaceful inhabitants of Georgetown.

LAFAYETTE. The following are extracts of a letter of the *Parisian correspondent* of the *London Morning Chronicle*. Its date is the 8th of August:

"I think we shall have peace! But, believe me, that question depends on the voice of one man—and that man was gen. Lafayette. If, on Friday night, when 1,200 of the bravest and most intelligent of the youth of Paris marched down to the chamber of deputies to demand that there should be no hereditary peerage, and, in fact, no chamber of peers; if, I say, at that moment, general Lafayette had said to those brave young men, "Yes, my friends, we will have a republic," before twenty-four hours France would have been declared a republic by the people. I do not say by the peers—by the deputies—by the bankers—by the rich merchants, or men of property; but I do say, by those who effected this revolution—that is to say, by the people. And, even yesterday, if, in the chamber of deputies, when Lafayette rose to address the house, when there was the silence of death, and when each one dared not to breathe till they had heard some words from this republican hero—if then, Lafayette had said, 'Gentlemen, I protest against your proceedings. France shall have a charter—but shall not have a king,' France would have had no king, and France would have maintained her position, though millions should have been slain. It is to gen Lafayette that the duke of Orleans owes the crown, which, to-morrow, will be placed upon his head. 'The royalists and ultra-royalists were prepared, to a man, to support the republican party."

Another correspondent of the London papers pays him the following compliment:

"Amidst various admirable plans and measures, I must direct your attention, above all, to a proposition of abolishing the punishment of death. Lafayette gave a distinguishing proof of the real nature of his spirit, by seconding, in a time of revolution, the abolishment of this penalty. He is no dealer in men's lives—no hunter after blood. He saved Louis XVI. from the fury of a mob—Charles X. from destruction—the state from anarchy, and now he would even protect from ignominious death the authors of those fatal ordonnances which have produced the shedding of so much blood, and left so many to mourn over the loss of husband, father, and friend. France is erecting to Lafayette a splendid monument: but posterity will do more; our grand children will call him the saviour of the liberties of France."

MARYLAND ELECTIONS.

For the general assembly, &c.

BALTIMORE CITY.

	1830				1829.	
Wards.	*Hunt.†*	*Nicholas.†*	*Stewart.*	*Finley.*	*Hunt.*	*Freeman.*
1	234	224	220	216	250	142
2	423	404	412	386	395	247
3	539	518	517	485	397	380
4	528	491	419	375	482	303
5	268	260	269	259	256	171
6	271	259	260	246	229	214
7	158	156	278	277	142	226
8	394	389	189	184	310	136
9	220	211	310	298	190	239
10	359	357	440	414	334	276
11	375	346	355	337	300	236
12	702	673	456	407	595	230
Total	4,471	4,268	4,105	3,884	3,910	2,820

Hunt's majority over Steuart 366—over Finley 587
Nicholas' do. do. do. 163 do. do. 384

For the sake of reference, we have added the poll between Mr. Hunt and Mr. Freeman, (the highest on the Jackson and anti-Jackson ticket in 1829)—Messrs. Hunt and Nicholas, members of the last general assembly, and friends of the administration, are elected, over Messrs. Steuart and Finley, anti-Jackson. The average majority last year was more than 1,000, for Messrs. Hunt and Nicholas.

†Those so marked are elected.

For sheriff of Baltimore city and county.

	City.	*County.*	*Total.*
Henry Green	4,239	1,812	6,050
Nathaniel Childs	2,982	1,271	4,254
John Wright	1,723	364	2,087
William Steuart*	1,584	425	2,009

ALLEGHANY COUNTY.

Anti-Jackson.		*Jackson.*	
Ridgely†	812	McMahon†	825
Shaw†	778	Buskirk	718
Reid†	746	Robinett	704
Pigman	731	Myers	701

ANNE ARUNDEL COUNTY.

Stewart†	1,220	Selman	836
Hood†	1,184	Linthicum	778
Kent†	1,181	Hammond	748
Stockett†	1,140	Ridout	732

*The same name, but not a family connexion of the gentleman voted for as a member of the assembly.

ANNAPOLIS CITY.

Claude†	162	Duval	123
Brewer†	155	Price	113

BALTIMORE COUNTY.

Price	1,084	Turner†	1,850
		Holmes†	1,723
		Ely†	1,757
		Worthington†	1,532

There were 5 other Jackson candidates in this county, who received votes as follows: Stansbury 955, Cockey 545, Weaver 496, Lammott 272, Vanpredelles 85.

CALVERT COUNTY.

Reynolds†	483	Wyvill	277
Dalrymple†	473		
Mackall†	445		
Wm. Smith†	408		
Bourne	400		
Sparrow	339		
F. Smith	298		

The four marked as elected composed the regular ticket—the other three came out under the "anti-Jackson flag."

CAROLINE COUNTY.

Burchenal†	655	Linden	615
Charles†	658	Stanton	570
Jones†	622	Crawford	611
Hardcastle†	640	Harrison	587

CECIL COUNTY.

Cameron	1,005	Evans†	1,155
Veazey	942	Biles†	1,078
Pennington	957	Comegys†	1,046
Wilson	898	Gale†	1,012

CHARLES COUNTY.

Brawner†	890	McPherson	680
Jenifer†	854		
Chapman†	836		
Rogerson†	785		

DORCHESTER COUNTY.

Hicks†	1,127	Stewart	1,009
Keene†	1,126	Hardcastle	916
Steele†	1,112	Smart	828
Wright†	1,094	Goldsborough	809

FREDERICK COUNTY.

Kemp†	3,572	Shriver	3,356
McElfresh†	3,495	Kinzer	3,343
McKinstry†	3,536	Kemp	3,340
Richardson†	3,506	Nelson	3,256

Mr. Hughes, an "independent" candidate, received 45 votes.

HARFORD COUNTY.

Montgomery†	1,240	Hope	1,082
Moores†	1,160	Johns	1,061
Amos†	1,157	Norris	998
Walters†	1,119	Smithson	996

Sheriff—Guyton 1,460—Wallace 837.

KENT COUNTY.

Brown†	533	Jones	484
Wallis†	528	Uselton	504
Moffit†	554	Scott	519
Piner†	523	Travilla	516

MONTGOMERY COUNTY.

Harding†	1,003	Duval	866
Gettings†	968	Peter	845
Wilson†	896	Wootten	831
Lee†	876	Dade	750

PRINCE GEORGE'S COUNTY.

Wootten†	769	Somerville	746
Gant†	795	Semmes	744
Duval†	772	Keech	608
Edelin†	784	Lee	619

QUEEN ANN'S COUNTY.

Brown†	692	Thomas†	675
Tilghman†	685	Goldsborough†	672
Seegur	671	Sadler	666
Wright	657	Fate	637

ST. MARY'S COUNTY.

Guemac†	953	No opposition.
Tough†	866	
Hawkins†	903	
Blackistone†	893	

SOMERSETT COUNTY.

Teackle†	1,233	Jones	985
Done†	1,231	Hooper	937
Ballard†	1,201	Wilson	857
Bell†	1,171	Davis	773

TALBOT COUNTY.

Hughlett†	727	Henrix	623
Dickinson†	721	Rose	653
Dudley†	705	Lloyd	578
Denny†	698	Stevens	569

WASHINGTON COUNTY.

Kershner†	1,954	Yoe†	1,894
Merrick†	1,868	Brookhart†	1,888
Brewer	1,619	Holman	1,804
Fouke	1,216	Witmer	1,849

Two other candidates were also run on various tickets—we have not the returns. Messrs Brewer, Fouke, &c. were called "independent candidates."

WORCESTER COUNTY.

Spence†	1,234	Parker†	1,135
Purnell†	1,216	Purnell	1,077
Mitchell†	1,159	Hooper	1,085
Williams	1,071	Robins	1,085
		Roach	181

In every county of the state, we believe, Baltimore and three or four others excepted, the anti-Jackson candidates for sheriff have been elected, generally running with the force of the anti-ticket, and, in several cases outstripping it.

MARYLAND HOUSE OF DELEGATES.

	In 1830.		In 1829.	
	Nat. Rep.	*Jackson.*	*Nat. Rep.*	*Jackson.*
Alleghany	3	1	1	3
Washington	2	2	0	4
Frederick	4	0	0	4
Montgomery	4	0	4	0
Prince George's	4	0	3	1
Calvert	4	0	†4	0
Charles	4	0	3	1
St. Mary's	4	0	4	0
Anne Arundel	4	0	3	1
Annapolis	2	0	2	0
Baltimore city	0	2	0	2
Baltimore county	0	4	0	4
Harford	4	0	1	3
Cecil	0	4	0	4
Queen Anne	2	2	0	4
Kent	4	0	3	1
Talbot	4	0	3	1
Caroline	4	0	2	2
Dorchester	4	0	3	1
Worcester	3	1	0	4
Somerset	4	0	4	0
	64	16	40	40
Senate, elected in 1826	4	11		
	68	27		

The vote for governor last year, by joint ballot was 50 Jackson and 43 anti-Jackson—two members not being in their seats. The anti-Jackson party now have a majority, in joint ballot, of 41.

WEST INDIA TRADE.

An *United States Telegraph* extra of about the 30th *August*, had the following article—which we found in the N. Y. "Commercial Advertiser" of Sept. 4.

Good sense and honesty, vs. pedantry, oratory, and diplomacy.

IMPORTANT NEWS!

The blunders and barbacues—the speeches and speculations—the diplomacy and disingenuousness of the co-

*This member's seat was at first objected to because of the omission of the word "jun." which had caused some tickets given him not to be regularly counted.

†Two of these, we believe, did not vote for the nat. rep. candidate for governor last year.

alition administration, caused the loss of the West India trade. It has been regained by the honest, high-minded, and straight forward administration of Andrew Jackson—who "asks nothing that is wrong."

Yet, the American people are every day taunted by the coalition newspapers with the "*sad mistake*" they made—the "*popular ignorance*" which led to the election of such a president! Will the sceptic of the Boston Courier have faith now?

The advantages of an unrestricted commerce with the British West India Islands is of peculiar importance to this country. The farmer, the mechanic, and the mariner, will have cause to rejoice at this important restoration to the interest of the country. They once enjoyed the advantages of this commerce, and know how to appreciate it. And when Messrs. Adams and Clay unwittingly and criminally lost to the country this important vein of commercial intercourse, its withering influence was felt like an untimely frost, upon some of our cities, and every part of our land partook more or less of its influence.

Thus then does this question stand; what was thrown away by the blundering negotiation of one administration, has been gained by the ingenuousness and address of another. This is another proof that the people were judicious in the choice of their present chief magistrate.

We have been favored with the following extract of a letter from a gentleman in New York, to his friend in this city, dated

August 27, 1830.

"Capt. Rodgers is below in the Caledonia, sailed from Liverpool 19th July. He brings the glorious news that the *West India ports are to be opened on the 1st of January.*

—

A Maine paper, the "Thomaston Register," as we find it translated into the "Connecticut Mirror," a few days before the election in *Maine*, said:

"*Opening of the West I. ports.* The information of the opening of the W. I. ports to our vessels receives a confirmation from the fact, *that the papers from the British provinces are dressed in mourning at the prospect of our vessels being admitted to a participation in the profits of the West India trade*, which was lost by the electioneering blunders of Mr. Clay."

[The papers in *Maine* abounded with paragraphs positively asserting that the British West India ports were opened.

The Kentucky "Argus" of the 8th Sept. had the following:

"We have received from a friend in Washington the following important intelligence:

"*Washington, Aug.* 29, 1830.

"Our foreign negotiations in London have been successful. The West India ports will be open to our vessels after the 1st of January next. This information may be relied on."

These are a *few out of many*—mere samples of what was said the latter end of *August*, in hundreds of papers—not resting on any official authority.

—

The mail of Saturday evening last brought us the following articles of intelligence, as to the West India trade:

Latest from Europe.

The packet ship Napoleon, Smith, at New York, brings London papers to the 25th and Liverpool to the 27th August, both inclusive.

West India trade. The intelligence of most immediate interest is the fact that the Napoleon has brought out despatches, announcing the opening of the West India trade to our shipping. Mr. McLane, our minister at London, was at Liverpool when the Napoleon sailed, and at her departure handed a package of despatches to capt. Smith, addressed to the care of the collector of New York, which he stated contained a treaty in regard to this trade, but desired that the contents might not be disclosed until the vessel got out of port. It seems that the circumstance was not publicly known in England, as the papers do not allude to the subject.

A letter from Francis B. Ogden, esq. U. S. consul at Liverpool, to S. Swartwout, esq. collector of the port of New York, confirms the intelligence. The letter says:

"*Liverpool, Aug.* 25*th*, 1830.

"I have the great satisfaction to inform you that our negotiations with this country have terminated in the most favorable manner. Mr. McLane arrived here the evening before the last, and forwards his despatches by the Napoleon, this morning. He informs me that the British government consents to restore to us the direct intercourse with the W. Indies, upon the terms of the act of July, 1825. The proclamation of the president, under the late act of congress, will be the first step.—Immediately thereafter, Great Britain will revoke her order in council of July, 1827, abolish the discriminating duties on American vessels in her colonial ports, and extend to them the advantages of the act of parliament of 5th July, 1825."

The Journal of Commerce also publishes a letter from its correspondent, to the following effect—

"*Liverpool, 24th Aug.*

Your minister, to his great credit, has succeeded in obtaining the consent of this government to open the intercourse between the United States and the British West India colonies, and it is probable that your president will in a few days after this reaches you, issue the proclamation contemplated in his message last session; a message which, you may remember, I approved of at the time, because it showed a disposition on your side to remove every subject of difference between the two countries. The government of this country has displayed equal good feeling in meeting this disposition, and Mr. McLane deserves the gratitude of the American nation for his unwearied labors, and the persevering skill and intelligence which he has put forth in attaining this result. It is to be hoped that your congress will manifest a proper sense of his services, and deem the occasion a fitting one for determining, whether an American minister, at the most expensive court in Europe, has not a right to claim from the overflowing treasury of his nation, such pecuniary support, as the station of a gentleman and a minister indispensably requires."

On this news the N. Y. Commercial Advertiser said—

We have at length a rumour, to which credit may be attached, that Mr. McLane has finally succeeded in making some arrangement with Great Britain, by treaty, respecting the trade of her West India colonies. Mr. McLane was at Liverpool when the Napoleon sailed, and put into the hands of capt. Smith a packet of despatches for the American government, addressed to the care of the collector of this port, which he stated privately to captain S. contained a treaty for opening the colonial ports to our commerce. The terms, as capt. S. understood from Mr. McLane, are similar to those not acceded to by the last administration, upon the ground that they are not only inconsistent with the dignity of the national character, but calculated to give British ships undue advantages over those of the United States. Should this new treaty have been adjusted upon terms altogether reciprocal and just and fair, we shall rejoice at the result. It will be for the senate to determine, whether in the anxiety to accomplish something upon this subject, the dignity of the nation has been compromised. The results of the negotiation had not transpired in England—the British papers being entirely silent upon that subject.

Since the foregoing paragraph was in type, we learn that the basis of the new treaty is the *British* act of parliament of 1825. Mr. McLane, himself, hastened down to Liverpool with the treaty, instead of sending it by an attache—a movement for effect.—Mr. Walsh, one of Mr. McLane's secretaries, came passenger in the Napoleon. Why, then, was not the treaty sent by him, instead of being so specially confided to the captain?—This is a small movement which we do not understand.

Extract of a letter to the editor of the New York American, dated Liverpool, 26th August, 1830.

"My Dear Sir: It may be worth the postage of a letter to you, to know that the West India question is settled. The president is to issue his proclamation in conformity with the last act of congress on the subject; and on its arrival in this country, the order in council of the 27th July, 1828 (issued you recollect in Gallatin's teeth) will be abolished, and the act of parliament of the

5th July, 1825, which opens the West India trade to other countries, will be extended to the United States, and all discriminating duties will be abolished."

—

The editors of the American remark:—There is no treaty come, or probably to come; but as we understand it, a communication from the British government importing that if, on the receipt of the despatches here, the president of the United States shall issue his proclamation, giving effect to the act of the last congress, the direct trade between the United States and the British West Indies shall be renewed, upon the terms stated in the act.

We shall take occasion to-morrow to shew why, in our judgment, this much talked of arrangement is not, and cannot be, *on the terms on which it is made*, of real benefit to the commerce or navigation of the United States.

The "New York Courier and Enquirer" said—

"*Opening of the West India ports.—Commercial prospects—commercial legislation.*—The opening of the British West India ports to American commerce, of which there is no doubt, is one of the most important acquisitions to the commerce of the United States which has taken place these last twenty years. The negotiation by which this point has been achieved, is additional evidence of the good sense, patriotism, and wisdom of the administration of Andrew Jackson."

—

On the arrival of the New York mail at Baltimore, on Saturday evening, a handbill was speedily issued, to which the public attention was directed in the following terms:

GLORIOUS NEWS!!

Official information received of the opening of the West India ports!!

BALTIMORE, 2d Oct. 1830—6 o'clock, P. M.

The *Jackson central committee* have the high gratification of informing their friends throughout the state, that, by this evening's mail, information has been received of the opening of the *colonial ports* to the trade of the U. States.

This desirable event, &c. &c.

The truth of the extracts made from the New York papers, was also certified by Messrs. Daniel Conn, Upton S. Heath, John Spear Smith, J. Smith Hollins, George H. Stewart, Joseph White, John Thomas, Wm Krebs, J. V. L. McMahon, Geo. Winchester and Sam'l Moore, who said also that they had been "favored with the perusal of a letter from Mr. McLane, our minister at London, addressed to a merchant of this city, which confirms the above intelligence"—that is, the extracts from the New York papers. These handbills were sent, by expresses, to several of the adjacent counties on Sunday morning, and exposed at all the public places.

The mail, in its due course, reached Washington about 10 o'clock on Sunday, and an "United States' Telegraph extra," dated "*Sunday, Oct. 3, 1830—noon*," was issued, with certain extracts from the New York papers, thus introduced:

HONOR TO THE PRESIDENT OF THE PEOPLE'S CHOICE!

The following extracts will show that the West India trade, a source of so much profit to the farmers, mechanics and merchants of this country, and which was lost by the *blundering "diplomacy"* of the coalition administration, has been restored by the upright, able, and honest administration of ANDREW JACKSON, who "asks for nothing that is not clearly right—submits to nothing that is wrong."

And at the bottom of the handbill we find the following certificate—

☞WE, [*Mr. Duff Green, editor of the Telegraph*] have just seen the official despatches from Mr. McLane, our minister at London, to the president of the U. States, confirming the above news; and the PROCLAMATION, announcing the interesting and highly important fact, may be expected TO-MORROW.—*Editor U. S. Telegraph.*

A large number of this extra seems to have been sent on to Baltimore, &c.; for, early on Monday morning, they were posted up at all of the twelve different places at which the elections were then holding; and otherwise spread before the people: but without much, if any, effect.

The truth of the report was doubted, notwithstanding the voucher of the editor of the Telegraph, of having seen the despatches on Sunday, because: 1st—that the ship Ceres, which left Liverpool on the same day as the Napoleon and arrived previously, had brought no duplicate account, or any hint whatsoever, concerning a matter regarded so very important. 2nd—That Mr. McLane should have made the journey to Liverpool, and delivered his despatches to the *captain*, with an intimation of their contents, when his own secretary, Mr. Walsh, was about to proceed to the United States in the *same* vessel. 3rd—That the despatches were addressed to the care of the *collector* of New York, instead of the *postmaster*, by which their most prompt transmission to Washington might have been retarded. 4th—That the said collector received a letter from the *consul* at Liverpool, instead of the minister, then also at that port 5th.—That Mr. McLane had apparently communicated the result of his negotiation to sundry persons in Liverpool (several letters being received from thence), and also written to two gentlemen in Baltimore, who, by the progress of the mail, he must have known would become possessed of the intelligence before it could reach the hands of the secretary of state, at Washington—the like of which, it was asserted, had never happened before, and could only be excused in a supposition that there was some mistake as to the character of the arrangement that he had made. 6th—It was also recollected that the British government was pointedly said to stand pledged, not to grant a direct trade with their West India islands, without previous notice to the agents of their North American colonies.

We have thought it well to recapitulate these objections, which, with the suddenness of the news, at the very heel of an ardent political campaign, caused the reported opening of the British ports to be without effect. It is not likely that fifty voters were at all influenced by it—and many pronounced it a mere "thoax."

We believed, and oftentimes so said on the day of election (for our opinion was oftentimes asked), that some arrangement had been made, or was about to be made—supposing however that its *present* character was not *definitive*—which appeared probable for some of the reasons stated. But uncertainty is at an end—when our paper was nearly ready to "make up," yesterday, we received the following proclamation:

—

By the president of the United States of America.

A PROCLAMATION.

Whereas, by an act of the congress of the United States, passed on the twenty-ninth day of May, one thousand eight hundred and thirty, it is provided, that, whenever the president of the United States shall receive satisfactory evidence that the government of Great Britain will open the ports in its colonial possessions in the West Indies, on the continent of South America, the Bahama islands, the Caicos, and the Bermuda or Somer islands, to the vessels of the U. States, for an indefinite or for a limited term, that the vessels of the U. States and their cargoes, on entering their colonial ports aforesaid, shall not be subject to other or higher duties of tonnage or impost, or charges of any other description, than would be imposed on British vessels, or their cargoes, arriving in the said colonial possessions from the U. States; that the vessels of the U. States may import into the said colonial possessions, from the United States, any article or articles which could be imported in a British vessel into the said possessions, from the United States; and that the vessels of the United States may export from the British colonies aforementioned, to any country whatever, other than the dominions or possessions of Great Britain, any article or articles, that can be exported therefrom in a British vessel to any country other than the British dominions or possessions aforesaid; leaving the commercial intercourse of the United States with all other parts of the British dominions or possessions on a footing not less favorable to the United States than it now is; that then, and in such case, the president of the United States

shall be authorized, at any time before the next session of congress, to issue his proclamation declaring that he has received such evidence; and that, thereupon, and from the date of such proclamation, the ports of the United States shall be opened, indefinitely, or for a term fixed, as the ease may be, to British vessels coming from the said British colonial possessions, and their cargoes, subject to no other or higher duty of tonnage or impost, or charge of any description whatever, than would be levied on the vessels of the United States, or their cargoes arriving from the said British possessions: and that it shall be lawful for the said British vessels to import into the United States, and to export therefrom, any article or articles which may be imported or exported in vessels of the United States; and that the act, entitled "an act concerning navigation," passed on the 18th day of April one thousand eight hundred and eighteen, an act suplementary thereto, passed the fifteenth day of May, one thousand eight hundred and twenty," and "an act entitled an act to regulate the commercial intercourse between the U. States and certain British ports," passed on the first day of March one thousand eight hundred and twenty-three, shall in such case, be suspended or absolutely repealed, as the case may require.

And whereas, by the said act, it is further provided, that, whenever the ports of the United States shall have been opened under the authority thereby given, British vessels and their cargoes shall be admitted to an entry in the ports of the United States, from the islands, provinces, or colonies of Great Britain, on or near the North American continent, and north or east of the United States:

And whereas satisfactory evidence has been received by the president of the United States, that, whenever he shall give effect to the provisions of the act aforesaid, the government of Great Britain will open, for an indefinite period, the ports in its colonial possessions in the West Indies, on the continent of South America, the Bahama islands, the Caicos, and the Bermuda or Somer islands, to the vessels of the United States, and their cargoes, upon the terms, and according to the requisitions, of the aforesaid act of congress:

Now, therefore, I, Andrew Jackson, president of the United States of America, do hereby declare and proclaim, that such evidence has been received by me, and that, by the operation of the act of congress passed on the twenty ninth day of May, one thousand eight hundred and thirty, the ports of the United States are, from the date of this proclamation, open to British vessels coming from the said British possessions, and their cargoes, upon the terms set forth in the said act; the act, entitled "an act concerning navigation," passed on the eighteenth day of April, one thousand eight hundred and eighteen, the act supplementary thereto, passed the fifteenth day of May, one thousand eight hundred and twenty, and the act entitled "an act to regulate the commercial intercourse between the United States and certain British ports," passed the first day of March, one thousand eight hundred and twenty three, are absolutely repealed, and British vessels and their cargoes are admitted to an entry in the ports of the United States, from the islands, provinces, and colonies of Great Britain, on or near the North American continent, and north or east of the United States.

Given under my hand, at the city of Washington, the fifth day of October, in the year of our Lord, one thousand eight hundred and thirty, and the fifty-fifth of the independence of the United States.

ANDREW JACKSON.

By the president: M. Van Buren, *secretary of state.*

At some early period, when men's minds are better prepared than at this moment, to investigate the matter, we shall publish a variety of documentary facts concerning the West India trade, generally—which we believe is better for the United States, generally, when the British ports are shut, than when they are open. It is a fair subject for investigation. If our judgment is wrong, we wish it corrected—but shall require facts and figures rejecting assertions and speculations. The *conditions*, however, which we have not time to examine, must be duly regarded, when the subject shall be considered.

The proclamation dated the 5th, was not published until the afternoon of the 7th Oct—Thursday.

FOREIGN ARTICLES.

From London papers, to the—Aug. inclusive.

[An account of an entertainment given to Lafayette—a proclamation of Louis Philip, and a letter from prince Polignac, after his arrest, will be found in a subsequent page. These articles are interesting.

Polignac attempted his escape under the disguise of a livery servant to the marchioness de St. Fargeaux, and was arrested when on the point of embarking for the Isle of Jersey. He was exceedingly alarmed.

It is asserted that Charles forced the publication of his obnoxious ordinances against the strongest representations of his ministers.

A new coinage, with the effigy of Louis Philip, is ordered—it will bear the inscription, "*Dieu* Protage la France."

Charles, on his first arrival in England, demanded to be received as king of France, which was refused. He retires for the present, to Ludlow castle, near Weymouth. A considerable deposite in gold, has been made in his name, at one of the banking houses. He had been waited upon by some of the British nobility.

Louis Philip has sent off special missions to the British, Russian, Austrian and Prussian governments.

Gen. Lafayette is named commandant general of all the national guards of the kingdom.

Numerous meetings had taken place in England, in honor of the revolution in France. It may cost another king his throne, if public feeling shall be despised.

In the chamber of deputies, on the 21st Aug. on a proposition submitted to abolish the punishments of death [on which no decision had been made]—

General Lafayette rose and said, I conceive, differing with my honorable colleague, that the abolition of the penalty of death is a new principle, or rather a sentiment, that ought to be at once examined. It is no new idea that is now laid before you—the abolition of this penalty has been called for at every period; it was demanded by some highly respectable members of the constituent assembly, by Adrian Duport; it was demanded by the father of our honorable friend the author of the commentary on Montesquieu. How deeply have we all to regret that it had not been abolished ages back! It is in the present day loudly called for in the United States of America. From this, gentlemen, you will perceive that many have formed a decided opinion upon the subject. For my own part, I shall demand the abolition of the penalty of death until I am convinced that human judgment is infallible. What frightful use of this penalty was made during our former revolution. The reflection fills my soul with horror! No man, I believe, ever made use of it during these disastrous times, without afterwards wishing it were possible he could redeem with his own blood the condemnations in which he had joined. But our present revolution! has a character of generosity as well as of patriotism, and it would adorn its commencement, were we to communicate this great act of humanity. I, therefore vote for its being taken in consideration.

The Messager des Chambres, says—It is asserted that 22 lieutenant-generals, and above 100 major-generals, forming the cadre of 1830, and entirely strangers to the army on the 18th of March, 1824, are going to be struck off the list to make room for the generals of the old army who are taken from their retreat. Among others, the 150 who, though in the vigor of life, were included in the ordinance of the 2d of December, 1824, and all those who have received their appointment since that time.

Not a single emblem of royalty has been allowed to remain in Paris, and in pursuance of the system of expunging the names given during the reign of the late king, the title of the *academie royale de musique*, has been changed to *academie nationale*, and the *theatre de madame* has resumed its former name of *gymnase*.

We can affirm (says *Le Temps*) a fact no less certain than remarkable, namely, that from the 31st of July to the 17th of August last, not one murder or robbery has been committed in Paris.

We have no particular intelligence from Spain—though there are many reports of its agitations. *Mina* and *Quiroga* are said to be concerned in them.

The late dey of Algiers landed at Naples on the 3d Aug. with a suite of 109 persons—4 of whom being his lawful wives, and some 40 or 50 his concubines. The women were kept closely shut up on the voyage, and remained most strictly concealed. The dey was very richly dressed.

The Netherlands appear somewhat agitated by the events in France. In Prussia the eagerness for news from France was such that the people fought in the streets of Berlin for the "State Gazette."

A private letter from Toulon (received at Paris) gives important information from Algiers. According to this, Bourmont had refused to strike the white flag, and Duperre had hoisted the tri-colored flag; so that all communication between the army and the fleet is suspended.

A conspiracy had been discovered at Algiers. It was found that the Turks had been conveying a quantity of arms to the Arabs in the interior. On the first alarm, about 50 French, who were scattered in the streets, were massacred. 2,000 Turks had been arrested, and were to be conveyed to Smyrna.

A fire occurred at London on the 11th Aug. in Bartholomew Close, by which one life and 200,000 pounds worth of property was lost.

The tri-colour.—Many inquiries have been made of late, as to the true origin of the tri-colored flag, and of what is it emblematical. We find the following explanation in a paper before us. Before the revolution the city of Paris had colors of its own—*red* and *blue*—the *white* being the color of the king and his army. After the taking of the Bastile, the armed bourgeois of the city, having taken the name of the national guard, added the white to the two previous colours of Paris, for the purpose of indicating that the king was no longer a separate estate, and that his power had passed into the hands of the people. Thus the tri-color became the national color.

There have been great excesses at Cavan, in Ireland. The Orangemen having congregated at different lodges, turned out, with avowed purposes of provoking and assaulting the Catholics. A battle ensued, and the Orangemen being repulsed, retired to the place where they had a deposit of arms; when they rallied and fired upon the people. A terrible scene followed—the Catholics gathered their strength, and fired the houses of the Orangemen—after which they armed themselves as well as they could, to the amount of about 40,000 men—on which the Orangemen dispersed and fled, and peace was restored. The loss of life is not stated.

Other disturbances have happened in various parts of Ireland. Catholic emancipation is not yet followed by internal pacification. The old parties retain nearly all their old animosities.

Madrid, Aug. 11. The decree which Ferdinand VII has just published concerning the press in Spain, consists of 20 articles; the first provides that no printer shall print a single line without previous permission of the council of Castile, the subdelegate of the press, or the subdelegate of the provinces, under a penalty of £550 and two years' exile from the town where the offence has been committed. The 7th article forbids the printing of any book or writing against the Catholic religion or the scriptures, in whatever language it may be, against good morals, against the form of the Spanish government, against the prerogatives of the king, &c. The 9th article prohibits all prints representing subjects mentioned in the 7th article. The penalties which, according to article 10, are to be inflicted upon offending printers, booksellers, and printsellers, will be proportioned to the malignity of the author of writings; the punishment of death even will be pronounced if the crime be high treason or sacrilege. [With such a decree, we say "good night" to king Ferdinand.]

Algiers, Aug. 2. An American frigate arrived yesterday, and instantly placed itself between the Provence and the Breslau, without saluting the French flag. The American capt. put out a boat to go ashore, but admiral Duperre immediately armed a boat, which put itself in the way of the American. The officer in the boat asked the reason of this conduct, saying he was in a free city. Lieut. ——— replied, that as the French flag was flying on Algiers, he ought to submit to the laws and regulations of the conqueror, and that admiral Duperre would let them know what they were. The American boat returned on board. The captain of the frigate waited on admiral Duperre, and every thing was, I believe, arranged.

Later news.

There was a report at Paris that the king of Sardinia was about to appoint a regency and retire to Naples—and that Austrian troops were advancing to garrison his principal fortresses. It is added, that the king of Russia and the people had disclaimed any intention to interfere with the affairs of France. Metternich, who is, *de facto*, the emperor of Austria, is a bitter opponent of liberal opinions—but if a French army shall again enter Vienna, the power of Austria to do wrong will be crushed forever.

The Russians have almost entirely left the Turkish territories. The loan, as offered by the house of Rothschild, had been rejected.

It is said that the subscriptions of the British, for the relief of the wounded and of the friends of those who lost their lives at Paris, to the amount of £200,000 in cash, had arrived at Calais. Napoleon Bonaparte, son of Louis, has sent to the editor of the "*Courier Francais*," "the humble sum of sixty Louis," being "all that he possessed at the moment," to be distributed among "the families of the heroes" of Paris—and rejoices in the "triumphs of his country." His letter is dated at Florence, Aug. 10.

France is about to recognize the republics of South America.

Mighty sums of money, in silver and gold, have arrived from Algiers. The dey appears to have been a "gathering man."

The Bedouins had collected to the amount of 60,000 men, to attack Algiers—but were repulsed and dispersed by the French.

NEW CHARTER OF FRANCE.

Constitutional charter of the year 1830, *sworn to by Louis Philip D'Orleans.*

DECLARATION OF THE CHAMBER OF DEPUTIES.

The chamber of deputies taking into consideration the imperious necessity which is the result of the 26th, 27th, 28th and 29th of July, and the following days; and the situation in which France is at this moment placed, in consequence of this violation of the constitutional charter—Considering, however, that by this violation, and the heroic resistance of the citizens of Paris, his majesty king Charles X, his royal highness Louis Antoine, his son, and the senior members of the royal house are leaving the kingdom of France, declares that the throne is vacant *de facto et de jure*, and that there is an absolute necessity of providing for it.

The chamber of deputies declare, 2dly, that according to the wish, and for the interest of the people of France, the preamble of the constitutional charter is omitted, as wounding the national dignity, in appearing to grant to them rights which essentially belong to them; and that the following articles of the same charter ought to be suppressed or modified in the following manner:—

Article 1. Frenchmen are to be equal before the law whatever may be their titles or their ranks.

Art. 2. They are to contribute in proportion to their fortunes to the charges of the state.

Art. 3. They are all to be equally admissible to civil and military employments.

Art. 4. Their individual liberty is hereby equally guaranteed. No person can be either prosecuted or arrested, except in cases prescribed by the law.

Art. 5. Each one may profess his religion with equal liberty, and shall obtain for his religious worship the same protection.

Art. 6. *The ministers of the Catholic apostolic and Roman religion, professed by the majority of the French, and those of other Christian worship, recieve stipends from the public treasury.*

Art. 7. *Frenchmen have the right of publishing and printing their opinions, provided they conform themselves to the laws. The censorship can never be re-established.*

Art. 8. All property, without exception, is to be inviolable; of that which is called national, the law makes no difference.

Art. 9. The state can exact the sacrifice of property for the good of the public, legally proved; but an indemnity shall be first given to those who may suffer from the change.

Art. 10. All searching into the opinions and votes given before the restoration is interdicted, and the same forgetfulness is commanded to be adopted by the tribunals and by the citizens.

Art. 11. The conscription is abolished; the method of recruiting the army for land and sea is to be determined by the law.

FORMS OF THE KING'S GOVERNMENT.

Art. 12. The person of the king is inviolable and sacred; his ministers are responsible; to the king alone belongs executive power.

Art. 13. The king is to be the chief supreme of the state; to command the forces by sea and by land; to declare war, to make treaties of peace, and alliances of commerce; to name all those who are employed in the public administrations, and to make regulations necessary for the execution of the laws, without having power either to suspend the laws themselves or dispense with their execution. Nevertheless, no foreign troops can ever be admitted into the service of the state without an express law.

Art. 14. The legislative power is to be exercised collectively by the king, the chamber of peers, and the chamber of deputies.

Art. 15. The proposition of the laws is to belong to the king, to the chamber of peers, and to the chamber of deputies. Nevertheless, all the laws of taxes are to be first voted by the chamber of deputies.

Art. 16. Every law to be freely discussed, and voted by the majority of each of the two chambers.

Art. 17. If a proposed law be rejected by one of the three powers it cannot be brought forward again in the same session.

Art. 18. The king can alone sanction and promulgate the laws.

Art. 19. The civil list is to be fixed for the duration of the reign by the legislative assembly after the accession of the king.

OF THE CHAMBER OF PEERS.

Art. 20. The chamber of peers is to form an essential portion of the legislative power.

Art. 21. It is to be convoked by the king at the same time as the chamber of deputies of the departments. The session of one is to begin and finish at the same time as the other.

Art. 22. Any assembly of the chamber of peers, which should be held at a time which is not that of the session of the chamber of deputies, *is illicit, and null of full right, except the case in which it is assembled as a court of justice, and then it can only exercise judicial functions.*

Art. 23. The nomination of the peers of France is the prerogative of the king. Their number is unlimited. He can vary their dignities, and name them peers for life, or make them hereditary, at his pleasure.

Art. 24. Peers can enter the chamber at twenty-five years of age, but have only a deliberative voice at the age of 30 years.

Art. 25. The chamber of peers is to be presided over by the chancellor of France, and, in his absence, by a peer named by the king.

Art. 26. *The princes of the blood are to be peers by right of birth. They are to take their seats next to the president.*

Art. 27. *The sittings of the chamber of peers are to be* PUBLIC *as those of the chamber of deputies.*

Art. 28. The chamber of peers take cognizance of high treason, and of attempts against the surety of the state, which is to be defined by the law.

Art. 29. No peer can be arrested but by the authority of the chamber, or judged but by it in a criminal matter.

Of the chamber of deputies of the departments.

Art. 30. The chamber of deputies will be composed of deputies elected by the electoral colleges, of which the organization is to be determined by the laws.

Art. 31. The deputies are to be elected for the space of five years.

Art. 32. *No deputy can be admitted into the chamber till he has attained the age of thirty years, and if he does not possess the other conditions prescribed by law.*

Art. 33. *If, however, there should not be in the department fifty persons of the age specified, paying the amount of taxes fixed by law, their number shall be completed from the persons who pay the greatest amount of taxes under the amount fixed by law.*

Art. 34. *No person can be an elector, if he is under twenty-five years of age; and if he does not possess all the other conditions determined upon by the law.*

Art. 35. *The presidents of the electoral colleges are to be named by the electors.*

Art. 36. The half at least of the deputies are to be chosen from those who have their political residence in the departments.

Art. 37. *The president of the chamber of deputies is to be elected by itself at the opening of each session.*

Art. 38. *The sittings of the chambers are to be public, but the request of five members will be sufficient to form a select committee.*

Art. 39. The chamber to be divided in secret committees, to discuss laws which may be presented from the king.

Art. 40. No tax can be established nor imposed, if it has not been consented to by the two chambers and sanctioned by the king.

Art. 41. The land and house tax can only be voted for one year. The indirect taxes may be voted for many years.

Art. 42. The king is to convoke every year the two chambers, and he has the right to prorogue them, and to dissolve that of the deputies of the departments, but in this case he must convoke a new one within the period of three months.

Art. 43. No bodily restraint can be exercised against a member of the chamber during the session, nor for six weeks which precede or follow the session.

Art. 44. No member of the chamber can be, during the session, prosecuted or arrested in a criminal matter, except taken in the act, till after the chamber has permitted his arrest.

Art. 45. Every petition to either of the chambers must be made in writing. *The law interdicts its being carried in person to the bar.*

OF THE MINISTERS.

Art. 46. The ministers can be members of the chamber of peers or the chamber of deputies. They have, moreover, their entrance into either chamber, and are entitled to be heard when they demand it.

Art. 47. The chamber of deputies have the right of impeaching the ministers, or of transferring them before the chambers of peers, who alone can judge them.

JUDICIAL REGULATIONS.

Art. 48. All justice emanates from the king; he administers in his name by the judges; whom he names, and whom he institutes.

Art. 49. The judges named by the king are immovable.

Art. 50. The ordinary courts and tribunals existing are to be maintained, and there is to be no change but by virtue of a law.

Art. 51. The actual institution of the judges of commerce is preserved.

Art. 52. The office of justice of peace is equally preserved. The justices of peace, though named by the king, are not immovable.

Art. 53. No one can be deprived of his natural judges.

Art. 54. *There cannot, in consequence, be extraordinary commissions and tribunals created by any title or denomination whatever.*

Art. 55. The debates will be public in criminal matters, at least when that publicity will not be dangerous to the public order and manners, and in that case the tribunal is to declare so by a distinct judgment.

Art. 56. The institution of juries is to be preserved; the changes which a longer experience may render necessary can only be effected by a distinct law.

Art. 57. The punishment of the confiscation of goods is abolished, and cannot be re-established.

Art. 58. The king has the right to pardon and commute the punishment.

Art. 59. The civil code, and the actual laws existing, that are not contrary to the present charter, will remain in full force until they shall be legally prerogated.

PARTICULAR RIGHTS GUARANTEED BY THE STATE.

Art. 60. The military in actual service, officers and soldiers, retired widows, officers and soldiers pensioned, are to preserve their grades, honors, and pensions.

Art. 61. The public debt is guaranteed; every sort of engagement made by the state with its creditors is to be inviolable.

Art. 62. The ancient nobility are to retake their titles; the new are to preserve theirs; the king is to create nobles at his pleasure; but he only grants to them rank and honors, without exemption from the charges and duties imposed on them as members of society.

Art. 63. The legion of honor is to be maintained. The king is to determine the regulations and decorations.

Art. 64. *The colonies are to be governed by particular laws.*

Art. 65. *The king and his successors are to swear, on their accession, in presence of the assembled chambers, to observe faithfully, the constitutional charter.*

Art. 66. *The present charter, and the rights it consecrates, shall be entrusted to the patriotism and courage of the national guard and all the French citizens.*

Art. 67. *France resumes her colors; for the future there will be no other cockade than the tri-coloured.*

SPECIAL PROVISIONS.

All the creations of peers during the reign of Charles X. are declared null and void.

Art. 27 of the charter will undergo a fresh examination during the session of 1831.

The chamber of deputies declare, thirdly, that it is necessary to provide successively by separate laws, and that with the shortest possible delay:—

1. *For the extension of the trial by jury to misdemeanors, and particularly those of the press.*

2. *For the responsibility of ministers and the secondary agents of government.*

3. *For the re-election of deputies appointed to public functions.*

4. *For the annual voting of the army estimates.*

5. *For the organization of the national guards, and for the choice of their own officers.*

6. *For a military code, insuring in a legal manner the situation of officers of all ranks.*

7. *For the department and municipal administrations.*

8. *For public instruction and the freedom of tuition.*

9. *For the abolition of the double vote, and for the fixing the qualification for electors and deputies.*

10. *Declaring that all laws and ordinances which are contrary to the measures adopted for the reform of the charter, are from thenceforward annulled and abrogated.*

Upon condition of accepting these provisions and propositions, the chamber of deputies declares, that the universal and pressing interest of the French people calls to the throne his royal highness Louis Phillippe d'Orleans, lieutenant general of the kingdom, and his descendants for ever from male to male, in the order of primogeniture, and to the perpetual exclusion of the female branches and their descendants.

In consequence, his royal highness Louis Phillippe d'Orleans, lieutenant general of the kingdom, shall be invited to accept and make oath to the above clauses and engagements—the observance of the constitutional charter, and the modifications indicated—and after having made an oath before the assembled chambers, to assume the title of the king of the French.

Dated at the palace of the chamber of deputies, 7th August, 1830.

Presidents and secretaries:—*Lafitte*, vice president, *Jacquemmot*, *Pavee de Vendœuvre*, *Cunin-Gridaine*, *Jars*.

Examined with the original by us president and secretaries:—*Lafitte*, *Jars*, *Jacqueminot*, *Pavee* de *Vendœuvre*, deputy de L Aube, *Cunin Gridain*, deputies des Ardennes.

ORIGINAL PREAMBLE TO THE FRENCH CHARTER.

"Louis, by the grace of God, king of France and Navarre, to all to whom these presents shall come, greeting.

"Whereas, Divine Providence, in calling us to our kingdom after a long absence, has imposed on us great obligations. Peace was the first want of our subjects. We have been occupied without intermission in establishing it—and this peace, as necessary to France as to the rest of Europe, is signed. A constitutional charter was solicited by the existing government of the kingdom. We have promised it, and we now publish it. We have considered that it is desirable that all authority should rest in France in the person of the king. Yet our predecessors have not hesitated to limit its exercise according to the different periods in which they have lived.

"It is thus that the commons owed their freedom to Louis le Gros, the confirmation and extension of their rights to St. Louis, and to Philipe le Bel. It was thus that the judiciary order was established and developed by the laws of Louis XI. of Henry II. and of Charles IX. and, in fine, that Louis XIV. sealed almost all parts of the public administration by different ordonnances, the wisdom of which nothing has ever surpassed. From the examples of kings, our predecessors, we have learnt how to appreciate the effects of the progress of civilization, the increased intelligence which its progress has introduced in society, the bias given to the mind for the last half century, and the grave alterations which have been the results. We have known that the wishes of our subjects for a constitutional charter has been a real want; but in acceding to this wise desire, we have taken every precaution that this charter should be worthy of us and of the people we are proud to rule over. Wise men have taken upon them, in the highest classes of the state, to unite together to be judges of our council, and to assist in effecting this important object. At the same time that we acknowledge that a free and monarchcial constitution ought to answer the expectations of enlightened Europe, we have felt that we ought to remember also that our first duty towards our people is to preserve for the interest and advantage the rights and the prerogatives of our crown. We have hoped that, instructed by experience, our subjects will be convinced that supreme authority can only give to establish institutions that force, permanence, and majesty with which it is itself clothed. It is thus when the wisdom of kings agrees freely with the wishes of the people that a constitutional charter can remain permanent; but where, on the other hand, violence forces concessions from a weak and unstable government, public liberty is not less in danger than the throne itself. We have, however, sought for the principles of the constitutional charter in the French character, and in the venerable monuments of the past centuries. Thus we have seen in the revival of the peerage a true national institution, and which ought to be dear to all our remembrances and our hopes, and reminding ancient as well as modern times. We have replaced by the chamber of deputies the ancient assemblies of the *Champ de Mars et de Mai*, and of the *Tiers Etat* which so often gave every possible proof of zeal for the interests of the people, of fidelity and respect for the authority of kings.

"In endeavoring thus to unite the history of the past with the present, which unfortunate events so long interrupted, we have effaced from our memory, as we would if we could efface from the pages of history, all the evils which have afflicted our country during our absence. We are happy to find ourselves in the bosom of a large family. We have not known how to reply to the love of which we have received so many proofs, but in pronouncing the words of peace and of consolation: the wishes most dear to our hearts are that all Frenchmen should live as brothers, and that no bitter feeling should trouble the security which ought to follow this solemn act which we agree to this day. Feeling assured of the nature of our intentions and wishes, shewn in our conscientious intentions, we engage ourselves before the assembly who listens to us to be faithful to this constitutional charter, which we propose to swear to maintain with a new solemnity, and pledge before the altar of him who weighs in the same balance kings and nations.

"For these reasons we have voluntarily, and in free exercise of our royal authority, agreed and consented to

make concessions, and grant to our subjects, as well for us as for our successors, and forever, the constitutional charter.

FRENCH CHAMBER OF PEERS, AUG. 21.

The sitting opened at half past two, and the president, after having read several letters which had been sent to him, communicated the following one from prince Polignac:

St. Lo, August 17.

M. LE BARON—Having been arrested at the moment of flying from the late deplorable events, and when I was endeavoring to emigrate into the island of Jersey, I surrendered to the provisional committee of the prefecture of the Manche, as the charter did not allow the procureur du Roi of the arrondissement of St. Lo, nor the judge d' instruction to issue a warrant against me. Supposing that the government has given orders for my arrestation, it must remember that the chamber of peers alone, according to the new as well as the old charter, has a right to arrest a peer of the realm. I do know what the chambers will do in that respect, and if it will put to my account the untoward events, which I regret more than any one else, events which struck us like a thunderbolt, that no one could foresee and avert; for in that terrible moment it was impossible to know who to listen to, who to apply to, and all we could do was to defend life. I should wish, M. le Baron, to retire to my own house, and there to resume those peaceful habits which coincide so much with my inclination, from which I was called against my own will, as is well known by those who are acquainted with my character. Too many vicissitudes have filled my life—too many misfortunes have passed over my head, in my tumultuous career. At least, in the days of my prosperity, no one can accuse me of having harbored any spirit of revenge against those who, perhaps, took advantage of their fortune to persecute me in adversity; and, indeed, M. le Baron, what would be our fate, if, in the midst of the turbulent age in which we live, the political opinions of those who are borne down by the tempest, are considered as treason by those who embrace the opinions of the political party?

"If I am not allowed to retire to my own estate, I should be desirous of going to a foreign country, with my wife and children. If, after all, the chamber of peers issues a warrant against me, I should wish to be imprisoned in the fort of Ham, in Picardy, where I was detained during the long captivity which I supported in my youth, or in some spacious and convenient citadel. I prefer Ham to any other, as being most favorable to my bad state of health, not a little increased by the late unfortunate events. The misfortunes of an honest man are entitled to some consideration in France; but, at any rate, M. le Baron, it would be barbarous to drag me forth to the capital, at a moment when so many passions are in ferment against me, which time alone can appease.

"I have been long accustomed to see all my designs construed into the most odious colors. I have exposed to you all my wishes, Monsieur le Baron, and I beg of you to communicate them to those who ought to know them, and also to believe me, &c.

PRINCE DE POLIGNAC.

"P. S. I beg of you to let me know when you receive this letter."

As it may be supposed, this letter gave rise to great agitation amongst the assembly, and it was finally resolved that the chamber should name a committee to decide what should be done in regard to the letter. This committee will communicate its opinion to the chamber next Monday, and is composed as follows:—Count Simeon, Malleville, Caran, Seguier, count Portalis, count Pontieulant, de Barante, Bastard' de l'Etancy, and duc de Valony.

[*From the Paris Moniteur of Aug.* 16.]

PROCLAMATION.

Frenchmen: You have preserved your liberties. You have called me to govern you according to the laws. Your task has been gloriously accomplished—mine is before me; it is to ensure respect to the government of law which you have achieved by conquest. I may not allow another to reject an authority to which I must submit myself.

It is necessary that the administration [of the law] resume its ancient course in all respects.

Many changes, indeed, have been effected, and others are in preparation: but meanwhile, it is necessary that the authority of the state remain in the hands of men firmly attached to the national cause.

A movement so sudden and so vast could not be effected without some momentary confusion: that confusion has reached its termination; and I require of all good citizens that they gather round the magistrates, to aid them in maintaining, for the common benefit, order and liberty.

Some reforms are necessary in the public service, the receipt of certain imposts charges the country with a heavy burden. Laws shall be proposed to remedy this evil. In the examination of this matter no complaint shall be smothered, no interest forgotten, no fact lost sight of.

But until the new laws shall be enacted, those now in force must be obeyed; reason inculcates this, and the public safety enjoins it.

Let every man exert himself to convince his fellow citizens of the necessity of the crisis: for myself, I shall not fail of performing my promises hereafter, nor of discharging my duties at present.

Frenchmen: Europe beholds our glorious revolution with admiration, not unmixed with astonishment. She asks, can it be possible that such events can take place by the force of civilization and energy, and without throwing society into confusion? Let us dissipate all doubts upon the subject. Let a government, as orderly as it is popular, instantly succeed to the overthrow of absolute power. 'Liberty and public order!' this is the device borne on the colors of the national guard of Paris; be it also in effect the spectacle which France shall display to Europe. In a few days we have ensured for ages the happiness and glory of our country.

LOUIS PHILLIPPE.

Paris, Aug. 15, 1830.

The keeper of the seals, minister secretary of state for the department of justice,

DUPONT DU L'EURE.

SPEECH OF M. DE. CHATEAUBRIAND,

Delivered in the French chamber of peers, 7th of Aug.

The president declared the debate on the declaration adopted by the chamber of deputies to be open.

M. Chateaubriand said that the declaration was not so complex for him as for those peers who professed an opinion different from his. One fact opened his eyes to all the others in the declaration, or rather destroyed them. He said if they were under a regular order of affairs, he should certainly examine with care the contemplated changes in the charter; many of them had been proposed by himself. He was only astonished that it was attempted in that chamber to entertain the measure of reaction concerning the peers created by Charles X. He was not suspected of weakness towards the batch and the chamber of peers might remember that he even encountered menace on that head; but to make us judges of our own colleagues, he said, to strike out the list of peers at pleasure whenever either party had the power, bore too much similitude to a proscription. Did they wish to destroy the peerage? Be it so, better to lose life than to sue for it.

He reproached himself even for these few words on a detail, which, all important as it was, disappeared in the grandeur of the event.

France, he said, is without a course, and I am to engage in the question whether to add or to subtract from the masts of a ship from which the rudder has been torn away. I put aside therefore from the declaration of the elective chamber every thing of a secondary interest, and in confining myself to the single fact announced, the vacancy, true or untrue, of the throne, I proceeded directly to the point. A previous question ought to be discussed: if the throne is vacant, we are free to choose the form of our government. Before offering the crown to any person whatever, it is best to know in what species of political order, we will constitute the social order. Shall we establish a republic or a new monarchy.

Does a republic or a new monarchy, offer to France sufficient guarantees for duration, strength, and rest.

A republic would first have against it, the recollection of the republic herself. These recollections are not at all effaced. We have not forgotten the time, when death marched arm and arm with liberty and equality. —When you shall have fallen into new anarchy, can you awaken from his rock the Hercules who alone was able to smother the monster. There are but five or six of these calendared men in history. In the lapse of some few thousand years, your posterity, may see another Napoleon; as for yourselves, expect him not.

M. Chateaubriand here proceeded to state his objections to a republic, because he thought an unanimous vote could not be obtained. He asked what right Paris would have to impose a republic on Marseilles, or any other city. Whether there should be a single republic or twenty or thirty republics; whether federative or independent. He doubted the possibility of procuring a president who would not soon desire to resign. He thought that a representative republic might be the future government of the world, but its time had not yet arrived.

He next passed to the monarchy. He said, that a king, elected either by the chambers or the people, would always be a novelty; then he supposed they would desire the liberty of the press—that liberty for which they had accomplished so astonishing a victory; well, every monarchy would be forced, sooner or later, to gag that liberty. He asked if ever Napoleon could suffer it? He asked if a monarchy, the bastard of a bloody night, would have nothing to fear from the independence of opinions, and thought recourse would necessarily be again had to the law of exception, notwithstanding the suppression of eight words in the 8th article of the charter.

"Strangers!" he proceeded, "who have twice entered Paris without resistance, know the true cause of your success. You presented yourselves in the name of lawful power. Should you now repair to the succor of tyranny, do you think that the gates of the capital of the civilized world would as readily open before you? The French people has grown great, since your departure, under the government of constitutional laws. Our children of fourteen are giants. Our conscripts at Algiers, our scholars at Paris, display to you the sons of the conquerors at Austerlitz, Marengo, and Jena; but sons fortified by all that liberty can add to glory." He proceeded to eulogize the conduct of the people of Paris, who had 'arisen, not to break but to support the law. "Charles X. and his son have fallen from the throne, or have abdicated, as you may choose to understand it. But the throne is not vacant. After them comes an infant. Ought innocence to be condemned? What blood cries out against him?" He said that he advocated the cause of the duke of Bordeaux, from no sentimental or romantic notions, or no principles of hereditary right, nor even those of the charter, but merely on those of prudence and utility.—After several other remarks, he concluded by saying, that he voted against the declaration. His speech was ordered to be printed.

ENTERTAINMENT TO LAFAYETTE.

The city of Paris has offered on the 15th Aug. a municipal banquet to gen. Lafayette. The company invited assembled at six o'clock at the hotel of the prefect, among them were the king's ministers, members of the chamber of peers and of the deputies, the members of the municipal council of Paris, of the court of cassation, the court of accounts, the royal tribunal of Paris, of the tribunals of the first instance and of commerce, of the council general of the departments, and of the council of prefecture. The mayors and their adjuncts, the staff, the commander of the legions, and principal officers of the national guard, the commanders of the staff and of the division of Paris, the commander of the troops forming the garrison of Paris, pupils of the Polytechnic school, of the schools of law and medicine, members of the four academies of the institute of France, and of the learned, literary, and philanthropic societies of the capital, and a great number of men eminent in science, literature, and the arts.

The banquet was for 550 persons. The bust of the king, surrounded by piles of arms, surmounted by tricolored flags, was placed opposite the banquet. On the other side of the hall was placed on a pedestal an engraving of the portrait of gen. Lafayette on foot, surrounded by streamers of the national colors. A vast orchestra filled the extremity of the hall. The pieces played by the band were mingled with chorusses performing two cantatas, and with couplets in honor of the veteran of liberty, and of the brave men who have so gloriously fought for it. These couplets, sung by M. Adolphe Nourrit, were vehemently applauded. At the dessert, count Alexander de Laborde, prefect of the Seine, rose and proposed the following toast:

"The French nation and the king of the French."

The company replied by an unanimous cry and reiterated acclamations.

The second toast was given by gen. Lebau, senior of the municipal commission—"To gen. Lafayette."

After the acclamations with which this toast was received, gen. Lafayette rose, and in the midst of the most profound silence expressed himself in the following terms:—

My dear fellow colleagues: It is with a delicious emotion that I thank you for the manner in which you have received the toast proposed in your name by my honorable and patriotic colleague. When the population of Paris rose spontaneously to repel aggression, and reconquer its rights, the rights of us all, the imprescriptible rights of the human race, it deigned to remember an old servant of the rights of the people in proclaiming me its chief; in associating my name with its triumphs, it has recompensed the vicissitudes of a whole life. This people, so great during the combat, has shown itself still greater by its generosity. To day it is, with the deep rooted sentiment of its sovereignty, its true interest that it must organize its victory. Already all the patriotic opinions have frankly rallied round a constitutional and popular throne. The acclamations of the capital—the accounts from all the departments, testify a general assent to their choice. There will be a difference of sentiment on many other points—all opinions are free—the press is at hand to enlighten, to warn public men, and all the citizens; but there is an observation which my old experience ought to submit to you.

The nation had conquered in '89; national and social rights had been proclaimed and organized, force could do nothing against us; then arose that fatal system of division and anarchy, the deplorable consequences of which you all know; and have we not since seen agents of that false system, emissaries of Coblentz and of foreign powers, impudently claim their salary? But the exquisite good sense of the actual population will preserve us from that misfortune. You are no longer those generations of the ancient regime, astonished at learning they had rights and duties; you are the children, the pupils of the revolution, and your conduct in the great days of glory and liberty has just shown the difference.

Surrounded by so many persons, formerly and recently distinguished, who awake in me so many recollections of attachment, of gratitude, and of respect, and among whom I am pleased to meet our heroes of the barricades, invited by the magistrates of the capital to this patriotic banquet, I feel that they have intended to give to the national guard of Paris a testimony of affection in the person of a chief, whose constant sentiment has been that of a respectful subordination to the civil authority; but how can I express to all and to each the emotions of my heart? I shall confine myself to proposing to you the following toast—

"*The glorious Parisian population.*"

At the words, "the glorious Parisian population" the acclamations of the company burst forth with increased vivacity. The orchestra played patriotic airs. Gen. Lafayette rising, indicated that the banquet was concluded, and the company again assembled in the saloons. There only one subject offered matter for conversation; the splendor, the rapidity of the great events which we have witnessed; the heroic courage of the brave men who insured the glorious success; the generous devotedness of the citizens, who placed themselves at the national movement; the solemn acts which have confided the destinies of the country to a king, who is the defender of the rights and liberties of all. This was the subject on which every body conversed with a noble pride, an entire confidence, and that unanimity of sentiment which the triumph of the most holy of causes ought to inspire.

LAFAYETTE.

Extract of a letter from Paris, dated Aug. 10, to the editor of the Boston Centinel.

"Gen Lafayette can now be ranked with Washington without exaggeration. His late conduct has capped the climax of his glory. Few people at present realize the degree to which he is entitled to our admiration. When, on the first day of the contest, I was told that he had come to Paris from Lagrange, to accept the dangerous post of leader of the armed people, I could hardly credit the news. Who could then have divined the issue? And had it not proved successful, think of the terrible consequence to the old veteran. To escape to America with his life was the utmost he could have hoped in such an event. But he not only accepted the command, but did not fear to appear on horseback, in military dress, in various parts of Paris, in prosecution of his arduous undertaking. But his fearless devotion to the cause of liberty constitutes the smallest part of his claim to our admiration. It is his magnanimity, his wonderful disinterestedness, and the purity of his patriotism, that rank him with Washington. It must be recollected that he is an avowed republican, that he has always desired a republic for France. And yet the new king, Philip I, is indebted to him personally for his crown. Yes! I am confident of this extraordinary fact. It is not generally known that a republic would certainly have been established, of which Lafayette might have been at the head, had it not been for his noble and disinterested preference of his country to himself. But he reflected that a republic, at this crisis, would be at the risk of foreign or civil war, or both. He was not afraid of either. He knew that he and the people could maintain a republic against both foreign and domestic foes. But he knew, also, that the duke of Orleans would make a "republican" king, and at the same time not endanger the public tranquillity. The magnanimous Lafayette then did not hesitate to give the duke his support, without which he never could have reigned This I gather, not from newspapers, but from the state of the public mind, expressed in innumerable ways, and particularly when the people came so near stopping the deliberations of the chamber of deputies, the other day, and when nobody could calm them but Lafayette. People now cry about the streets medals of "Lafayette, pere des Francais"—(Father of the French.)

GOV. MILLER, OF SOUTH CAROLINA.

Extracts from the speech of his excellency gov. Miller at a late celebration in Sumter district, S. C.

"Before I proceed to the main question, I would observe, that I had no agency in promoting this assemblage. I never have used exertions to get up a meeting to oppose the tariff. Whenever I have been present at such meetings, I have sustained the principles laid down by the resolutions adopted by our legislature in 1825. Whenever it is thought expedient to abandon the ground assumed in opposition to the encroachments of the general government, I should not advise you to assemble together to make a formal announciation of your submission; but rather to hide in your native swamps, retire to your houses, and in lonesome sullen silence, acquiesce.

There appears to me something revolting to every lofty and dignified feeling, in gathering the people together, to tell them, that they are oppressed—unconstitutionally and arbitrarily oppressed—and then to require them to adopt resolutions, declaring they will abide by that tyranny, and sustain the government that denounces and denationalizes them.

I trust such will not be the result of this meeting. I owe it to the reverence I have always had for the opinions of my honorable friend to state, that I have constantly reprobated the violence manifested by some of our politicians, and the intolerance indicated on this question. Those who believe and concur in the first resolution that was adopted, ought not to quarrel about a difference as to the second.

I shall not consider myself as alienated from those who honestly think the tariff and internal improvements unconstitutional, because they differ with me as to the time when, and the means by which, the evil is to be remedied. The influence of the state will be destroyed and her councils divided, neutralized, by taking issue on an incidental question, or rather by making up an immaterial issue. Antecedent to the late war, many persons thought the attack upon the Chesapeake was good cause of war, and that, at that time, war ought to have been declared. Others, of the republican party, thought otherwise. Suppose the test, then established and voted upon, to have been *war or no war;* the republican party would have been divided on that question, and the federalists would have picked up and added to their numbers, all those who thought *that* not precisely the *time* to declare war.

So will the tariff men now add to their list, all who think, and are proscribed for so thinking, that the convention ought not now to be called.

Any person living in the southern states, who has paid the least attention to the progress made by the general government in subverting their interest and confiscating without authority their property, may rely with perfect certainty upon the facts, that the time will soon arrive, in which no difference of feeling will exist among those who live south of a given line, as to the motives which prompt, and the baneful effects resulting from congressional legislation. Even Charleston anti-Carolina presses admit, that if the colonization question is entertained by congress, we must resist.

I have accepted the invitation to attend this meeting, supposing that every man would be permitted to speak his own sentiments at the table, and let them pass for what they are worth. But now I perceive that this respectable and numerous assembly is called upon to express a definite opinion, as to the course the state ought to take.

The resolution now under discussian has been opposed by all the eloquence and weight of character of the gentlemen who has opened the debate. The question to be decided is, shall we, by rejecting the resolution, proclaim our submission to the encroachments of congress? When I reflect upon the ground you have heretofore occupied—the lead you have taken—I should be mortified were you to retrogade—turn your back upon your former principles, or suffer any state of the controversy to compel you to be the indirect advocates of this unjust and nefarious system. You stand pledged to the declaration, that congress have not the power to adopt a system of internal improvement, nor to lay a tax to protect manufactures. The votes of your delegation in the legislature on this subject, have been approved and your confidence in them, confirmed for supporting it.

The official relation I now bear to you is, perhaps, founded more on the part taken in establishing this doctrine, than in any other claim to public favor. Will you permit fascinating eloquence to seduce you from your integrity? You ought to recollect, that your conduct will have an influence beyond this district: the struggle is now going on not so much here as elsewhere. If you surrender to day, the question may be considered as settled.

If Greenville may have furnished such a triumph to the tariff party, with what joy would they receive the embrace of Sumter, that large, wealthy, and populous district; that district which bears the same relation to the state, which Virginia does to the union. Let not the dominico be substituted for the "game cock"—do not dishonor your faith by your fears.

An issue is now pending between South Carolina as a state, and congress, the legislative exponent of the United States. It has been fairly made up, and now, shall we withdraw our appeal, and let judgment go by default? Or shall we rather support the plea, and carry on the defence? We are the defendant—our condition in that respect is the best. We assert no new power—we claim our ancient rights—rights conceded to us since the formation of our government.

The resolution proposes to submit this controversy on our side to the assembled wisdom of the state in convention. Shall we declare we will lay down our opposition, or take the intermediate course and go for convention?—Respect for ourselves, a regard for our rights, require us to support the latter proposition. A capitulation in convention will put an end to the controversy, or the assertion in convention that the tariff of protection is void, would carry sufficient weight of authority to make every Carolinian subscribe to it, or leave the country. It is impossible to enforce a law of congress where the great mass of the people believe it founded in fraud and enacted

against the constitution. Let me not be misunderstood. There are three and only three ways, to reform our congressional legislation. The representative judicial and belligerent principle alone can be relied on; or as they are more familiarly called, the *ballot* box, the *jury* box and the *cantouch* box. The two first are constitutional, the last revolutionary. If it can be shewn that a convention will aid either of the two first schemes of reformation, then it ought to be adopted—unless the gentleman furnishes a substitute. It is admitted, that the tariff is unconstitutional and oppressive, and yet it is insisted, that means not involving war, must not be resorted to, in order to throw it off. It is not necessary to consider, whether, when the convention declares the law void, the law will be destroyed in this state ipso facto, and remain so until three fourths of the state decide otherwise.

It may be considered that the federal court would seek to enforce the law against the act of the convention. Whether they have the right or not, is not very material—they would most likely exercise it, and yet if the juries, who compose a part and parcel of the judicial power of this country, respect the South Carolina authorities more than the federal judges, they will refuse to sustain the laws: besides some definite course may be assigned by the convention directory to the juries as composing a part of the judicial power of the country. The trial by jury shall be preserved, says the constitution, "in all cases above twenty dollars."

A bond given for duties, denounced and proscribed by the convention, if the jury consider the authority of the convention equal to the authority of the federal judge, could never be enforced. Are our federal judges so popular, so virtuous, so learned, that a juryman, who believes the tariff law unconstitutional before he enters the box, sustained by the united voice of his fellow citizens in convention, will change his opinion as soon as those federal judges shake their heads? I should consider a juryman recreant to his country, who believed the tariff unconstitutional, who changed his opinions under any other influence than an enlightened conscience.

The trial by jury is not worth preserving except as a part of the popular administration of justice. In that point of view, it is invaluable. Every one knows he cannot be divested of his life, liberty, or property, except by those who live in the same state, and who have similar interests, and similar rights, to preserve. It is the guaranty of his civil, religious and political liberty. The time has passed away when high-toned aristocrats can, from the bench, cram their notions down the throats of the juries of the country. Our juries must be convinced by argument and good sense, not by a knitted brow, or a haughty menace.

It would be competent for the people in the exercise of one of their reserved rights to lay a rule down for their own conduct upon a contested point, and that man who would still live in Carolina and refuse obedience in court and out of court to the deliberate and solemn expression of the sense of the state, ought not to be permitted to recover damages for a personal indignity. He ought to be treated as a reprobate and an outlaw. The remedy is in your own hands if you do not creep like toads, in the twilight of your hopes and fears. But it is said, that the president has put a check to appropriations for internal improvements, and that the tariff will, as soon as the national debt is paid, be repealed. Should a convention be called, they will have the proceedings of the next congress before them. It will then be seen how far the president will be sustained, or whether he does not give way himself, as Mr. Monroe did. Mr. Clay, in a speech which he has delivered, declares that internal improvements and the tariff are parts of the same system, asserting in contradiction to the president, that they have mutually a necessary dependence. And so long as general Jackson is considered a candidate for a re-election, no one can say what his course will be. It is reported that he gave as a reason for checking internal improvements, that, without some palliative to the south, the union would be endangered. The call of the convention will still keep alive the apprehension, and sustain him in his policy. It is told of two travellers, that on meeting, one said to the other in a threatening tone, "get out of the road, sir, or I———; when his adversary promptly gave way and enquired what the other would have done, he answered, "I intended, if you had not yielded the road, to have done so myself." We are in the road, have the right on our side, and ought not to leave it upon equivocal grounds.

Again: we have no security that the colonization bill will not be matured and sanctioned. Gen. Mercer has a high motive, apart from philanthropy, to press the government on this subject. He may still get a salary under this law of congress as he does now for the Chesapeake and Ohio company: and who would not advocate the interests of a company for an annual, regular retainer of $3,000 per annum? Yes, sir, the very fountain of power is corrupted and suborned by pecuniary bias. This celebrated advocate of the "American system" is a member of congress, hired to sustain its interests. I ask, upon a question between the government and the company over which he presides, what security have you for his integrity? His honor, soiled by the silver that made Judas betray his master and Arnold his country—aye, his honor, in one hand, overruled by three thousand dollars in the other. He is the great Lucifer of the south: if we follow him, he will carry us down, down.

But we are told, that should the state authorities or the juries refuse to enforce the act of congress, we hazard every thing; since three-fourths of the states might be assembled and take away all we have. I do not see much force in this view, since we are now at the mercy of three-fourths—this is what we bargained for—I will submit to whatever three-fourths say shall be the rule, since this is my contract, and I will be governed thereby. Our only security now is the moral sense of the three-fourths. So we would hazard nothing, by bringing their powers into action.

Again: It is said every movement we make is putting the union in danger. Every controversy supposes danger in carrying it on. It is with governments, as with individuals, those who fear to defend their rights, have none. Their property belongs to the banditti: they are only tenants at will, of their own fire-sides.

Sir, the call of the convention decides nothing but that South Carolina does not abandon her opposition to the tariff. Instead of the limited and partial repeal of some few of the duties, restraining her from pressing out her principles, it should afford her a stimulant to further exertion, lest these leeches fasten again.

If we submit, no one can anticipate what these people will solicit and receive at the hands of congress. Shall we petition again? that would be ridiculous and absurd. Shall we memorialize and protest? our appeals have been received but to be condemned and despised. Shall we, by refusing to go on, go backwards—join the Clay party—vote with the tariffites? Will you consent to take such a course as will identify you with the Charleston Courier? Will you herd with the revilers of Jefferson and the states—those who live by abusing Jackson and South Carolina? or will you rather go for a convention. The convention is a harmless and an onward move—it will embarrass your adversary—it is a check at least, not an useless one—the king must then move or loose the game.

The advocates of convention are said to be without a deep interest in the government: They are charged with revolutionary principles and feelings. This is not so: we contend for a government that secures personal liberty and private property against the invasion of aristocratic wealth or democratic despotism. What property I have, my wife and children, are the capital—my stock in trade, which I will confide to the honor and moral sense of South Carolina.

We are to-day urged, in effect, to surrender over all, every thing we hold dear, at discretion, to Carey, Clay, Niles, Webster, Mercer, Skidmore and Meng—and shall we do so? Recollect that the great high priest of the "American System," in a speech before the Colonization society in Lexington, laid down the position, that the tariff was to extirpate slavery by making it valueless, and then the Colonization society was to carry away the evil.

But it is said, the national character of the state will be impaired by opposing congress—that we will be driven to the wall—that disgrace and infamy will be fastened upon us. There is no truth in this: a nation may be overrun and put down for asserting her rights, but she never can loose character by so doing. You will search

in vain in history for a people disgraced by gallantly contending for their liberty. Who would not rather be a Hampton than a Jefferies? Who would not rather be an Emmet than a Norbury? Who would not rather be a Hancock than a North? The Christian religion grew up under persecution—the sword cannot exterminate truth. The blood of one martyr to religious or political efforts, is worth more than the eloquence of a Massilon or a Demosthenes. If, standing on our rights, the general government puts one South Carolinian to death—we who are now weak will then become strong.

I have stated frankly my opinions; should you differ from me I shall cheerfully acquiesce. I have been long enough in public life to submit with a good grace when overruled by those in whom I have confidence. I know there are good men, my warm friends, who differ from me; I should be grieved beyond expression if this difference should arrange us in opposite ranks. I came into office representing the principles now stated, and I will not be the one who shall advise you to ground your arms. If I part from my friends it shall be their fault and not mine.

JUDGE JOHNSTON AND COL. TAYLOR.

CORRESPONDENCE CONTINUED—SEE PAGE 98.

Charleston, Sept. 22, 1830.

MY DEAR TAYLOR: Your letter, dated Rice Creek, September 11, with the Columbia postmark of the 14th, did not come to hand until the 17th, near three weeks after the date of mine to which it is an answer, and at a time when it was out of the question for me to be at Columbia to make my speech. What an opportunity was here lost. I certainly should have addressed myself to an audience "*whose minds were in a state for thinking*," and might have enjoyed a triumph, such as you and I have felt in common more than once. Where were the men who now claim to be radicals and exclusive patriots, when you and I stood shoulder to shoulder in the stormy days of ultra federalism? and more recently in that universal homage now rendered to the talents and worth of our friend Crawford, by men who revelled in the most wanton abuse of him, when you and I stood up for him almost alone.

I perceive by an editorial remark prefixed to the publication of our correspondence, that the suggestion is thrown out that my letter was written to you with a view to involve you in a controversy. I am sure you cannot entertain such an idea. Nothing was farther from my mind; but if you court it, I certainly shall not shun it. Yet it would be whispering to the howling winds to attempt the defence of my eight points, until the election is over. Let that be passed, and something of a calm ensue, and I am ready to meet you: but it must be in the columns of the Telescope, for thus, and thus only, can the antidote be administered where it may have something to operate upon.

You stile yourself "one of the members of the conspiracy"—but if all the conspirators were as candid and disinterested as you are, the republic would have nothing to fear from them: you have openly and candidly avowed, that if Virginia would consent to be a frontier state, you would go off from the union the next day. This is at once appealing to the good sense and good feelings of the people, and in that tribunal I repose unlimited confidence. It is only when they are hoodwinked by demagogues and hypocrites that they can go wrong.

As to the part you take in this "conspiracy," I solemnly declare that if I could think as you do upon the facts, I think I should feel as you do upon the measures. I would not live under "a government of unlimited powers," and if I saw distinctly that nothing but a revolutionary movement could impose due restrictions, I would cry out for revolution.

As to affording the states some more satisfactory security than the intervention of the supreme court, it is what I have been urging for years.—Rest assured that we are far from coveting jurisdiction, especially where states are concerned. Heaven save us from encountering the irritable feelings of sovereigns. But I have always been met by the question—What can the states want more than the senate? They are all there equally represented, and every law which passes that body involves a decision on its constitutionality—a decision made by a body sworn to decide impartially, and in which the smallest state has as much weight as the greatest. To this I have never been able to find but one answer, and that is, that as to one class of cases that tribunal is not accessible. I mean cases in which the constitutionality of state laws is brought in question. There I would certainly amend the constitution so as to give an appeal to the senate; and perhaps require the concurrence of two-thirds to declare the law of a state unconstitutional. At present, although we are emphatically *the men of the people*, being charged exclusively with the protection of individual right against unconstitutional laws, yet indirectly we are compelled to pass upon the delicate question of sovereign right, from which may heaven deliver us.

"You ask me "why I did not come out with my eight points at the late election for intendant of our city." I answer, because I had as little to do with the meeting at Seyle's as you had, and if I had, nobody would have listened to me. The majority who voted for Mr. Pringle, are as deededly anti-tariff as you are. I did not vote, and I doubt if there is a man in South Carolina who agrees with me in at least seven of my eight points. But this I do not doubt of, that the time is not far distant when they will all agree with me in every one of them. You know the course of my public life. I have more than once before been in a minority, to all appearances as hopeless as the present, *aye even on the election of Jackson to the presidency*. I only assert that freedom of opinion which I readily concede to all others.

I agree with you entirely that judge Lee and myself ought not to have been invited, and for the reasons you suggest. You see that I doubted whether it was not a hoax, and after the lapse of so much time without an answer from you, I was nearly confirmed in that doubt. I treated the invitation, however, respectfully; yet so as to leave as little as possible to be gained by the hoax, if it was one. There is one thing I must beg you particularly to notice. I do not mean to suffer myself to be drawn into the question of construction and constitutionality of the tariff act. I see that in my first point I have written *constitution*, where I ought to have said *convention*: but the context will correct the lapsus. I will treat the subject historically, and no otherwise, and then if I find I have even approached the question of construction, I will not sit judicially upon a cause arising under it. As to the point which you press with so much earnestness, I mean the conspiracy, I am as ready now to dispose of it as I probably ever shall be, and have no objection to do so. I have no evidence but what is before the public, and probably never shall have. It requires the power of an Asmodeus to ransack cabinets, or to rake up the ashes of confidential correspondence, but if there has not been enough published to establish the fact of a fixed purpose and zealous co-operation among some of our citizens to get rid of the tariff act or get rid of the union, then I can only say, I differ widely from every one in my inferences; I think there is evidence to shew that some go further, and maintain that a separation from the union, whether singly or in confederation with other states, is the true policy of South Carolina; but the evidence on this subject, is chiefly before the public also, and may safely be left to consideration without comment. It is of too personal a character to admit of public discussion, otherwise than in a court of justice, and there it never can be discussed that I know of: I hope it never will be, directly or incidentally.

As to the moral imputation of conspiracy, it does not necessarily carry with it reproach. Lafayette would never blush to have it known if the truth be so, that he headed a conspiracy against Charles X. If there are any among us who maintain that they are absolved from their allegiance to the United States, what offence can they take at being charged with conspiracy against it? If there are any who charge the government of the United States with oppressive and intolerable tyranny, what reproach is it to them to be charged with conspiring? Shall there be a Cæsar and no Brutus, no Cassius, no Casca, found among us! By such I presume it would be coveted as honorable. The motive only can characterize the act, and to those only whose consciences upbraid them with selfish or dishonorable views can it come with reproach. I do believe in the existence of what I call

conspiracy; but I have impugned no man's motive. I have attached no *reproachful epithet* to the term. As to those who press the alternative upon the people, of either compelling a repeal of the tariff or positive resistance, if there are any such who know or believe that congress cannot and will not recede, I leave them to settle with their own consciences how near this approached to a distinct effort to dissolve the union.

And now let me conclude with one earnest request. If this correspondence cannot be carried on without interrupting that cordial feeling which has subsisted between us from our boyhood, I pray you let it end here. —Do not entertain the thought that I am shunning the combat: you know me too well to believe it. On the contrary I should nowillingly forego my feeble efforts to reconvert the state through the columns of the Telescope. Yours, WM. JOHNSTON.

COL. DRAYTON.

The following extract of a letter from col. *William Drayton*, is contained in a pamphlet addressed to *Alex. Speers*, esq. formerly comptroller general of the state of South Carolina, to the citizens of Abbeville district, on the subject o the present state of things in that state, arising out of its opposition to the tariff. The doctrine of the right of a state, at her mere will, to secede from the Union, is wholly inadmissible, and we protest against it. In the attitude, however, in which col. Drayton now stands before the public, every thing from his pen on this subject has a general interest.

Extract of a letter from the hon. Wm. Drayton, dated Balston Springs, New York, 31st Aug.

"Should a convention declare, that South Carolina was absolved from obedience to the tariff acts of 1824 and 1828, upon the ground of unconstitutionality, some juries would be governed by the decision of the convention, whilst others would disregard it. Those individuals, therefore, against whom verdicts should be found, would sustain positive injury, inasmuch as they would be subjected to the payment of duties, from which other importers of the same articles would be exonerated. By this unequal operation, the evils complained of would be increased instead of being cured. To produce a practical effect, a more decided measure must be adopted—that of protecting the persons and property of defendants, from executions founded upon the judgments of the court. This could only be accomplished by force, another name for civil war between the state and the general government, which would probably be attended with bitter dissensions among ourselves. Granting that the advocates of nullification should be victorious in this calamitous struggle, the unavoidable consequence would be, that South Carolina no longer belonged to the union: for, independently of the obvious deductions from such a condition, the other states would never permit us to enjoy the benefits, without participating in the burthens of the union. The radical error pervading the minds of those who are desirous of appealing to nullification, seems to me to be, that they confound a general principle, only to be acted upon in extreme cases, with a constitutional remedy. If a state considers an act of congress, whether constitutional or unconstitutional, for the abuse of granted power may be as injurious as the usurpation of a power not granted, to be so vitally destructive of her interests, that she would be in a better situation by withdrawing from, than by adhering to the union, she has the right to secede and to form a new government for herself. Whether she shall pursue this course, is a question of expediency, which ought not to be determined, without the most profound and anxious deliberation. The true question now to be solved by our state, although such is not the prevailing opinion, is, whether the existing tariff, or disunion, be the greatest evil.

I write this in a hurry, as I am upon the point of leaving the place, or I would state to you my sentiments more in detail.

With great respect and esteem, I am, my dear sir, your obedient servant, WM. DRAYTON."

INTERMENT OF THE LATE GEORGE IV.

The remains of the late king were interred with great pomp on the 15th July. The following is an extract from the description of the procession:—

THE ROYAL STANDARD.

The royal crown of Hanover,

Supporter, Gentleman usher. — borne on a purple velvet cushion, by Blanc Coursier, king of arms. — Supporter, Gentleman usher.

Supporter, Gentleman usher. — THE IMPERIAL CROWN of the United Kingdom, borne on a purple velvet cushion, by Clarenceux, king of arms. — Supporter, Gentleman usher.

Master of his late majesty's household. — The lord steward of his late majesty's household. — Keeper of his late majesty's privy purse.

The lord chamberlain

Gentleman usher. — of his late majesty's household. — Gentleman usher.

Supporters of the canopy, Five peers, assisted by eight admirals in the royal navy.

Supporters of the pall, Three dukes, assisted by two eldest sons of dukes.

THE

ROYAL BODY,

covered with a purple velvet pall, adorned with ten escutcheons of the imperial arms, under a canopy of purple velvet.

Supporters of the canopy, Five peers, assisted by eight generals in the army.

Supporters of the pall, Three dukes, assisted by two eldest sons of dukes.

First gentleman usher, daily waiter to his late majesty. — Garter principal king of arms, bearing his sceptre. — Gentleman usher of the black rod, bearing his rod.

The cap of maintenance, borne by the marquis of Winchester.

The sword of state, borne by the duke of Wellington.

The chief mourner

THE KING'S MOST EXCELLENT MAJESTY,

in a long purple cloak, with a star of the order of the garter embroidered thereon, wearing the collars

Supporter, a duke. — of the garter, the bath, the thistle, St. Patrick, and of the royal Hanoverian Guelphic order, attended by his royal highness prince George of Cumberland. — Supporter, a duke.

Train bearers—two dukes,

Sixteen peers, assistants to the chief mourner.

Princes of the blood royal.

His royal highness the duke of Sussex, in a long black cloak, with the star of the order of the garter embroidered thereon, and wearing the collars of the garter, the thistle, and the royal Hanoverian Guelphic order, his train borne by two gentlemen of his royal highness's household.

His royal highness the duke of Cumberland, in a long black cloak, with the star of the order of the garter embroidered thereon, and wearing the collars of the garter, the bath, St. Patrick and the royal Hanoverian Guelphic order, his train borne by two gentlemen of his royal highness's household.

His royal highness the prince Leopold of Saxe Coburg, in a long black cloak, with the star of the order of the garter embroidered thereon, and wearing the collars of the garter, the bath, and the royal Hanoverian Guelphic order; his train borne by two gentlemen of his royal highness's household.

His royal highness the duke of Gloucester in a long black cloak, with the star of the order of the garter embroidered thereon, and wearing the collars of the garter, the Bath, and the royal Hanoverian Guelphic order; his train borne by two gentlemen of his royal highness's household.

A royal guard of honor, composed of 140 rank and file.

The preceding is an account of only a small part of the pageant. A description of the banners, the nobles, &c. in attendance, would fill two or three pages. The king was drawn by "six superb black horses" and "looked well."

NILES' WEEKLY REGISTER.

FOURTH SERIES. No. 8—VOL. III.] BALTIMORE, OCT. 16, 1830. [VOL. XXXIX. WHOLE No. 996.

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES & SON, AT $5 PER ANNUM, PAYABLE IN ADVANCE.

☞To the exclusion of a large body of miscellaneous matter, we have inserted an able letter of Mr. Madison, addressed to the editor of the North American Review, in regard to the "nullifying doctrine," which the mad zealots of the south have been urging with a recklessness of purpose that must create disgust in every lover of the union. Mr. M's letter is a clear and lucid exposition, and if the constitution has not the powers which he plainly shews were granted by the *people*, it is a thing of "shreds and patches," to be rent asunder by any state or individual disposed to resist its authority. We also give the letters of Messrs. Troup and Cheves, in reply to an invitation to attend the great "state rights dinner" at Columbia on the 20th ult The infuriate zeal of the former will excite a smile, while the casuistry of the latter may be regarded as the best argument for a bad cause —one is "full of fight," the other would not act singly and alone.

ELECTIONS. The general election took place in Pennsylvania on Tuesday last—we have returns only from Philadelphia, &c. In the first district, Sutherland had a majority of 1051 votes over Simpson, both Jackson men—for Sutherland 2146, Simpson 1095. In the second district, Horn, Jackson, had a majority of 572 votes over Coxe, nat. republican—for Horn 2832, for Coxe 2260. In the third district, Watmough, nat. republican, had a majority of 662 votes over Miller, Jackson—for Watmough 4324, for Miller 3662.

In 1828, judge Hemphill, the Jackson candidate, defeated Mr. Sargeant by a majority of 557; Mr. Miller, the present defeated Jackson candidate, then beat Mr. Harvie, his Adams opponent, 2379 votes, he having received 4512, and the latter 2133 votes.

DELAWARE. The following is given as a correct statement of the result of the election in Delaware: majority for Mr. Milligan in Kent 72; in Sussex county 365—437; majority for Mr Ridgely, in New Castle county 3—total majority for Milligan 434.

The political character of the legislature, it is said, stands thus—In the senate, national republicans 7, Jackson men 2—giving a majority to the national republicans of 18 on joint ballot.

The state has decided to call a convention by a large majority.

BRITISH WEST INDIA TRADE. The "United States' Telegraph," of the 7th inst. thus introduced the president's proclamation.—

We have the gratification of laying before our readers the president's proclamation, made in pursuance of the arrangement entered into with the British government, relative to this important branch of our commerce. Those who are familiar with the subject will see, and, when the official correspondence is published, it will appear, that the terms on which this important negotiation has been concluded were TWICE unsuccessfully proposed by the late administration

LAFAYETTE. With what feelings, says the National Gazette, must the government of Austria view the present situation of Lafayette, whom it so long held as a malefactor in a dungeon! It is stated of Franklin that when he signed at Paris the treaty of alliance between the United colonies and France, he put on the same coat which he wore when he was grossly insulted by Widderburn and the lords of the privy council in London. If Lafayette has retained the suit in which he escaped from Olmutz, he might resume it by the side of Philip when the Austrian ambassador has his first audience of the *citizen king*.

A writer in the Boston Centinel, in stirring up the citizens to good works in behalf of those who suffered by the late fire at Gloucester, says—"Our friend, and the friend of mankind, the great LAFAYETTE, did no wait to be reminded of the distress of our town, occasioned by the fire of 1787. No; as soon as the calamity was known in France, he directed his banker to send two hundred guineas, which was received through the hands of Mr. Breck, and paid over to the late Dr. Parker, chairman of the town's committee, (Vide Centinel, 1787). In England there were several liberal donations, which were duly received by the last named gentleman.

BALTIMORE INSPECTIONS. Register's office 6th Oct. 1830. Amount of inspections in the city of Baltimore, during the last quarter, ending the 1st inst. exclusive of those returned to the state, viz:

115,855 bbls. and 5,126 half bbls.	wheat flour	
499 do.	rye	do.
12 hhds. and 563 bbls.	corn meal	
1,164 kegs butter and 488 kegs lard		
147 bbls. pork foreign packed		
10 half bbls. do Baltimore do		
1,628 bbls. turpentine.		

EML. KENT, *Reg.*

BOSTON. A New York paper says—Although the city of Boston, has not, within the last ten years, fulfilled the entire, and we may add unwarrantable, expectations of some of its too partial friends, yet the fact that ninety two vessels have arrived thither from foreign ports during the single month of September, paying a revenue duty to the government of about $600,000, shows that our eastern sister is gleaning, in no stinted measure, the fruits of a fair and prosperous harvest.

APPOINTMENTS BY THE PRESIDENT. "The hon. Philip P. Barbour [a member of congress from the state of Virginia] has been appointed by the president of the United States, judge of the U. S. district court, for the district of Virginia, *vice* George Hay deceased. We have not yet understood whether Mr. Barbour accepts the appointment." [*Fredericksburg Arena.*

RESPECT TO THE PRESIDENT OF THE UNITED STATES. —Yesterday at about two o'clock, the clergy in this city, with scarcely an exception, waited upon the president of the United States, and congratulated him upon his return to the seat of government. Protestants and Catholics, Episcopalians, Methodists, Baptists and Presbyterians, all united in one common sentiment of respect to the chief magistrate, who received and treated them in a manner alike becoming the dignity of his station, and of the character, deportment and elevated feelings of those whose valuable services and exemplary lives, command our respect, and constitute them the standard of piety and good morals; the guardians of our present and future welfare.

The fact which we have mentioned, that all denominations united in this mark of respect, is at once a merited and severe rebuke upon that uncharitable and bitter opposition, which seeks to discolor all the acts and motives that endear the president to all who know his public worth and private virtues; and affords a favorable commentary on our free institutions, which, by their mutual guarantee of the right of conscience, teach all sects the power which protects others in the free enjoyment of their religious and civil liberties, as a safeguard to their own. [*U. S. Telegraph, Oct.* 6.

FOREIGN NEWS.

From London papers to the 31st August.

REVOLUTION IN THE NETHERLANDS.

The following letter from a correspondent of the London Times, is given at full length, as being a *history* of a great movement of the people of the Netherlands. We have added a few additional items.

Brussels, August 26. This would appear to be the commencement of an era of revolutions. I left Paris on Tuesday evening, believing that I had seen a happy termination of one, and behold I have fallen into the beginning of another. On arriving at Halle, about three leagues south of Brussels this morning, we heard that the people had risen last night into revolt, had proceeded in great force to the house of Mr. Liby Bagnano, the conductor of an obnoxious government journal, had broken his windows and doors, and entered and demolished his furniture, and had either burnt his books and papers, or thrown them into the streets. The riotors had first shown symptoms of disorder and violence at the theatre, where an obnoxious piece was played; but it was evident that their tumult was not a theatrical affair. From the beginning it had politics for its object, and a change in the government for its end. The cries which were heard from its leaders showed plainly the causes of the movement. These cries were "down with the Dutch government"—"death to the Dutch ministry"—"vive la patrie"—"vive la revolution Francaise"—"vive Napoleon II." To the music of these shouts, the populace proceeded to disarm the battallion of pompiers, who willingly gave up their muskets, offering even their uniform, if their conquerors chose. They attacked likewise the different *corps du garde* of the regular troops, and mastered them. At day-break, the troops of the line in garrison, endeavored to disperse the groups, which had now got arms, and in addition to the damage which they had done during the night, had set fire to the house of the minister of justice, Van Maanan, in the Petit Sablon—had entered and demolished the hotel of the governor of the capital, and had attacked the residence of the commandant of the garrison, in the square called Le Grand Sablon. The troops of the line, in endeavoring to disperse the mob, had killed nine persons, five of whose bodies I have seen.

When our diligence entered Brussels at six o'clock this morning, the people were all either in the streets conversing anxiously in greater or smaller groups, or standing at their doors asking news, or leaning out of their windows, surveying the multitudes who flitted below them, and who were perpetually bringing them tidings of the wide-spread of the insurrection. It was evident that some great event agitated the mass, and that they were uncertain what part they should take in the drama which had opened. They had continued in this state of vigilant alarm during the night hearing the firing of musketry, and the cries of the mob, at a distance. Our conductor was warned not to proceed through the market place, his usual route, where he was told there was fighting, but to take a turn round the town, to avoid the danger to which a more direct passage would have exposed us.

About seven o'clock great numbers of the people were armed, and compelled the governor to give them the keys of the hotel de Ville, to obtain the depot of muskets which had been taken formerly from the garde communale. This garde communale was an institution similar in almost every respect to the garde national of France. Some of its members had retained their muskets and their uniform. In this uniform several appeared about six or seven o'clock, and were hailed as leaders. If am well informed, the colonel of this civic force has promised to lead them. I have conversed with several of them, who say that they appear on the present occason, not to overturn the government, but to preserve the city from pillage by the mob. This however, cannot be the object of the majority, who have commanded the *royal arms to be pulled down*, and who are crying "A bas les oppresseurs."

The troops, instead of allowing themselves to be beaten or destroyed in detail, as in Paris, retired within their barracks till re-inforcements were sent for. About ten o'clock the whole garrison of Brussels consisting of gendarmes, troops of the line and cavalry, were drawn up in the place royale in front of the palace, and looking to the park. They have remained in this possition till two o'clock, (the hour at which I now write.) Several detachments have joined them from the posts in the neighborhood. The whole force now ranged below me, (seen from the hotel de Bellevue,) cannot yet exceed 1,500 men. In the present excited state of the public mind, a much greater force should have occupied the capitol.

Detachments of the civic force, with drums beating and tri-colored flags flying, have passed by the assembled troops, to take possession of the different posts in the neighborhood. No resistance has been offered them, nor has any parley taken place between the military and the citizens. The work of demolition goes on in the city.—Four or five of the houses of the authorities are now in flames. The furniture of the minister of justice, and of the commandant of the place being thrown out of the windows, is blazing in the squares of the Petit and Grand Sablon.

No person of name or consequence has yet appeared to direct the movements of the revolutionalists. The hatred of Dutch sway seems deep and general among all classes; but the actual rioters are chiefly those who complain of high taxes and want of bread.

When the news reaches Liege, Ghent and Antwerp, similar movements are expected. No assistance in troops can therefore be expected from those towns. Indeed, it seemed most probable, to persons acquainted with the state of public opinion in Belgium, that Liege would be the leader in the insurrection, as soon as the French had shaken off the Burbons.

Expresses have been sent off to the Hague, where the king and ministers now reside, (by the law which makes Brussels and that town their residence every alternate year,) but no answer has yet been received.

The shops had been shut up during the whole day, or rather, have not opened. Even the churches, which in Roman catholic countries are always open, have not received the faithful this forenoon. The streets are not yet unpaved, but trees have been cut down to form barricades.

The thing most dreaded here by sensible people, is the approach of Prussian troops, which would justify the Belgians in demanding succour from France, and thus lead to a general war.

Half past two o'clock. The troops are still drawn up in the place royale, and are receiving a few re-inforcements from the country. The work of demolition goes forward unresisted in the city. The governor and commandant have fled. There is a strong belief that the Belgic portion of the troops will fraternise with the people, or at least decline any active part in a contest which seems every hour more inevitable.

Three o'clock. Another regiment of cavalry has just arrived, and drawn up in line. It appears to be about 600 strong. I have no habit of estimating numbers, but I should think that in the place royale we have now 3,000 troops of all arms. There are no artillery.

Four o'clock, P. M. Aug. 26. The troops which were sent for last night, or early this morning, have arrived. They consist of two battallions, one of dragoons and another of infantry, from Antwerp and Mechlin.

The garde communale marches past the line of the king's troops to relieve guard at the different posts, without giving or receiving any challenge.

The troops have formed in the palace royale to protect the king's palace and the public establishments. Keeping together in a body, they render an attack hopeless, and cannot be massacred in detail, as they would be in the streets.

Several small parties have deserted from the line and surrendered their arms to their fellow-citizens. They are seen parading the streets in their uniform and mixing carelessly with the groups of the insurgents.

The attack on private property continues, thus giving our insurrection a distinctive character from the late glorious revolution in Paris.

The hotels of the minister of justice, and of the commandant of the garrison, are still burning; the windows, doors and furniture of the governor's house, have been entirely demolished.

The communale, or civic guard, having now got undisturbed possession of all the posts of the town, and being entrusted by their fellow-citizens with the protection of their property, a task which the general government cannot in present circumstances exercise, there has of late been no collision between the military and the people. A stormy night, however, is expected, unless the weal-

thier and more respectable class of citizens form themselves into patrols, and overmaster the rabble who are disposed to mischief.

Eight o'clock, P. M. The hope above expressed is likely to be realized. The better class of the shopkeepers and inhabitants are now under arms. Strong patrolling parties traverse the streets in every direction and in every quarter. The tri-colored flag, however, is still displayed, and the peoples from time to time, shout viva la republique! viva Napoleon II.

The lamps last night were all broken. To-night the city is illuminated, whether in token of victory, or as a preventitive of mischief, I do not know. Probably both considerations have their weight, as they affect different classes. It is seldom that Brussels has been so brilliantly illuminated.

Ten o'clock. The troops are still drawn up in the place where they have remained for the last 20 hours, and the hopes of peace are likely to be realized for the night, and the civic guard protects the town. The landlord of the hotel de Bellevue, where I lodge, has upwards of 100 men engaged to protect his house.

A party of the city guard have arrived to have a parley with the commanding officer of the dragoons. The conference was short, but the deputation went away satisfied, as they shouted "vivent les braves Belges; vivent les dragoons!"

Brussels, Aug. 27. In my letter of yesterday, I transmitted you as correct and detailed account of the origin and first movements of the insurrection which has unhappily broken out here, as the confusion and anxiety of the movement would permit me to collect. The object of the insurgents was and still continues, vague and indefinate, and consequently all their proceedings partake of an uncertain and undecided character. The great mass of those who first broke the public peace were of the very lowest order—manufacturers, laborers, and artizans, without bread or employment. These people felt they suffered from high taxes and low wages, and ascribe their sufferings to the king's ministers, who in their opinion, favored the Dutch at the expense of the Belgians. Hence, in order to have cheap bread and plenty of employment, they were logically joined by the party who had called out for freedom of opinion and the abolition of all restraints upon the press. Hence they began by burning the house of an unfortunate journalist and bookseller, who supports the government, and of the minister of justice, who prosecutes for libels. Hence M. Libry Bagnano's property was destroyed by the cry of "vive le Potter," and the hotel of M. Von Maanen was burnt to the shout of "vive la liberte" and "point d'impot sous le viande."

The Belgic and the catholic party, like the French liberals, had polled the nation, and had found the secret of their strength. About 300,000 of the Belgic people had last year signed petitions against the system of the ministry, whom the king ostinately persists in maintaining in power. The object of these petitions had no reference to the distress of the lower class; but they extended the idea that they were oppressed. They related chiefly to the freedom of the press, trial by jury, ministerial responsibility, freedom of instruction, and the perfect independence of the church on the state in religious matters. These petitions originated chiefly in the party of M. de Potter, and were supported with all his activity and zeal. Thus the perpetual agitation of questions, in which, by the way, the Brussels insurgents could feel little practical grievance, led them to believe that they were really oppressed, and the banishment of their champion, added what they thought insult and contumely to their imaginary wrongs. In this state of their feelings, the revolution in France presented an opportunity or a pretext for an insurrection against the government, though they could not pretend, as in France, that there had recently been any flagrant attempt to invade their rights. The distress of the manufacturing laborers provoked to revolt, and supplied to the more intelligent malcontents a body of men fitted for their purpose; because such a population can lose nothing, and may gain something in political changes.

I asked yesterday what were the first results of this disaffected feeling on the various classes on whom it operated. They only thought of burning the houses or demolishing the property of their supposed enemies. They issued no proclamation as a rallying point for their friends and made no specific demand on the government as the price of renewed order. They ran to seize arms, to occupy the posts of the military, and to demolish the furniture of ministers, without seeming to have any ulterior purpose. The carriage of M. Van Kaviff was burnt before the hotel de Ville, and all the official papers in his office lined the streets or were made bonfires.

The prudent precaution adopted by the military chiefs, of retiring from the streets, and forming their troops into an imposing mass before the palace, joined to the great forbearance of both officers and men, has saved the effusion of much blood. The ragamuffins who paraded the town with muskets, pistols and swords, spades and pitchforks, would certainly have fought, had they been attacked, and their poverty might have led them to pillage the city.

Five o'clock, A. M. Friday morning, August 27.—There have been no disturbances during the night. No attack has been made on the troops, or on the lives or property of the inhabitants. On looking out this morning, we found the troops, cavalry and infantry, bivouacking on the area of the palace royale, or under the piazzes of the palace. The groups of the populace were neither numerous nor formidable.

There is a chance that the total want of political leaders among the people, and the wise forbearance of the military, may allow of the restoration of tranquility without further bloodshed, or any extensive change in the administration. Had the people been equally decided to carry any political point as in Paris, and had they been equally disposed to overpower the resistance of the troops, they would have planted themselves among the trees of the park, and have fired upon their enemies in a situation from which they could not have been dislodged. Their neglect of such advantages, their apparent satisfaction at little acts of vengeance, and their inability to state any other grievance than taxes, which the government cannot easily dispense with, would give this insurrection the character of a mere popular tumult, if we can suppose that the majority of a large capital would, without the cause, aid the operations or submit to the sway of a mob for 48 hours.

Ten o'clock, Friday morning. I have been round the town. All has been tranquil during the night. The churches are open and some shops. The people say that they will be satisfied with the abolition of the tax upon meat and flour. The last impost has had a strange history. Its presence in the budget last year was one of the main causes of the rejection of the financial system of the government by the state general. His majesty wisely revised his system, and abolished the *mouture* (tax on grinding corn,) as a part of the revenue of the state. The municipal bodies however, have likewise their budget; and seeing a source of taxation thus abandoned the regency of Brussels re-imposed, as a municipal tax, what could not be tolerated as a part of the national burdens. If the Brussels insurgents are satisfied with this, they need not have made such a noise about their *libertie* and *patrie*.

If any arrangement is formed before the departure of the mail, I shall mention it.

Four o'clock, P. M. The civic guards are excellently organized. Every man who has property to protect is called upon to enrol his name, and to give his services in this body.

Confidence is not yet restored to any extent. The populace demand the surrender of the royal palace, and threaten to set fire to it if not given to them. They think that by its possession the government could more readily be brought to terms.

The tri-color worn by the insurgents of Brussels is not the French colors, but the old colors of Brabant.

The rumor of disturbances at Ghent was wrong or premature. None had taken place yesterday afternoon.

The mails were allowed to leave Brussels yesterday; but no letters that came have yet been delivered.

From a second edition of the London Times.

Brussels, Friday, Aug. 27, 11 *o'clock, A. M.*. Many of the facts which I have stated above, become totally insignificant, after the disclosure of what I am about to state, and with which I was previously unacquainted.

The nobility and other classes have put themselves at the head of the movement.

Yesterday they entered into a contract with the chiefs of the military force who had joined their cause. The latter only required that they might not be required to lay down their arms, and that the custody of the palace should be confided to them. The civic and Belgic guard took possession of all other posts by that treaty.

The palace will be given up if the answer from the Hague is not favorable to the views of the national party.

They are to demand a new constitution not *octroye* but *conquis*. They as yet speak of no change of dynasty.

Either the king or the prince of Orange is expected at Ghent. The populace have set fire to the building in the park. The king's theatre is in flames.

Aug. 28. The hotel of M Van Maanen, that of the commandant of the fortress, and the house of M. M. de Knyff, director of the police and Schuermans, procurer du Roi, alone have been sacked. The hotel of the minister of justice was completely destroyed by fire; only some portions of the walls remain standing. The people stood by to see that every thing was destroyed by fire, and not only allowed the pompiers to approach, upon telling them to extend their protection to the neighbouring houses alone. The furniture of the hotel was collected in the square of the Petit Sablon, and a bonfire made of it. The trees of the garden, and those in the square of the Petit Sablon, have been cut down and formed into barricades in the neighboring streets, to prevent the approach of cavalry. The guard of the prison of Petit Carmes was surrounded and compelled to remain neuter. No prisoner was permitted to escape.—The house of Libry Bagnano, though not burnt, is entirely demolished—even the stairs are torn down. It appeared that L. Bagnano escaped over a wall into a stable yard. Some of the populace mistaking the hotel of the governor of the province for the seat of government, entered it, broke the furniture, burnt the governor's carriage, and threw the registers into the street. This accident is much regretted.

The same persons, without pillaging, destroyed some machines in the manufactories of M. M. Basse, Bosdivex, and Rey. The carriage of M. Knyff, the director of police, was burnt in the great square. The royal arms and the orange cockades have every where disappeared. There appeared too many of these emblems at Brusseis. The people have caused them to be removed, and not one is now to be seen. The clerks at the post office were ordered themselves to remove the *armoires*, and they obeyed. Some irregularities were inevitable, doubtless, but it may be said that many of the workmen at Brussels have courage, firmness, and presence of mind worthy of the highest praise. Others have not less distinguished themselves by their disinterestedness.—They broke and destroyed every thing belonging to M. Van Maanen, which could recall his name, but they pillaged nothing. Some individuals, not belonging to the town, evinced bad intentions, but in general the working class, properly so called, have behaved with propriety. Some workmen, to whom money was offered, only took it in order to purchase a loaf, or a drop of drink.

The pompiers likewise conducted themselves very well. Without joining in the popular movement, they surrendered their guard-house to the citizens. We saw a wounded pompiere ask a favor to be admitted to the ranks of the citizens to serve with them. The arcades and chandeliers in the park, intended for the grand illumination of the fete of the king, which had excited so much discontent, have been broken in pieces. The number of wounded is not yet known correctly. The people fought with such fury that they used nails instead of bullets. Many citizens who could not procure muskets armed themselves with sabres, pistols, swords, arms taken from the troops, and even with great clubs. It gave great satisfaction to see count Mesode mount his guard with the citizens. This was setting an honorable example. The inhabitants who broke into the cellars of Libry Bagnano, came out singing—

"Le vin par sa douce chaleur,
Et nous anime, et vous possede."

Libry's robe de chambre served for a moment for a standard. It is asserted he has passed through Antwerp to take refuge at the Hague, with his worthy patron M. Van Maanen. Wageneer, the commissaire of police, general Wauther, the commander of the fortress and captain Kennis, of the dragoons of Malines, are among the wounded.

At Louvais yesterday, between 2000 and 3000 citizens assembled in the great square in front of the hotel de Ville. The events which had occurred at Brussels excited universal enthusiasm, and the energy of the people of Brussels was cited as an example. The people took the orange cockades from the commissaries of police. Patriotic proclamations were scattered through the city. The military were invited to remain passive. They are Belgians, they will not shed the blood of Belgians. The citizen guard will be immediately organized. This should be done every where. The people ought to be prepared for every event.

A proclamation from the regency requests all manufacturers to call in their workmen. The superintendants of the poor to distribute food to such as demand it at their own homes.

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Further accounts.

On the 28th of Aug. the burgher guard were masters of the city. There was considerable fighting in the morning—but in a short time, the king's troops ceased to attack the people, and fell back to the king's palace. At 3 o'clock, the ancient flag of Brabant was displayed on the town hall—it is red, orange and black. The orange, or royal cockade, had disappeared. The citizens seemed generally under arms, and embodied, but many ladies appeared in the streets, which show the idea of safety that already prevailed. Standards bearing the motto "liberty and security," were displayed. Order seemed restored, and the night passed without disturbance. The people, having accomplished all that they wished, were content, but stood by their arms.

When the intelligence of these events reached the Hague, there was a great excitement. The king in council resolved on a proclamation, summoning the states general to meet immediately, for the purpose of discussing the claims of the Netherlanders, and redressing any grievances which may be thought worthy of consideration. Troops, however, were ordered to the scene of action.

The members of the royal family who were at Antwerp, fled to the Hague,—fearing a general rising of the people, and their expectations were speedily realized, for Antwerp almost immediately followed the example of Brussels. Persons were flying in all directions. One account says that the king would accede to the demands of the people—another, that he had resolved to reject them. He had collected an army of about 20,000 men near Brussels. Amsterdam yet remained quiet.

There is no suspicion that the French have had any concern in these events in Belgium, further than by their example.

The following are said to be the demands of the people of Brussels:

1. The complete execution of the Loi Fondamentals, or charter, given by the king at his accession.

2. The dismissal of the minister of justice, Von Maanan, and another member of the cabinet, together with some of the city authorities.

3. The equal division of officers between the two nations, the Belgians and the Dutch.

4. The establishment of the chief tribunal of the nation in some frontier town.

One of the Belgic journals, the *Politique*, demands for the people that the ministers of the king shall be made responsible, and that trial by jury shall be established, with "twenty other guarantees."

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The new British parliament has been summoned to meet on the 26th Oct. Many new members have been returned. Nothing important appears to have occurred in England since our last advices.

A London paper observes—We can state positively that the instructions given by our government to the

captains of the frigates which have been sent out to Lisbon and Terceira, are such as to convince don Miguel that the British flag is not to be insulted with impunity; they are required to demand an apology from the Portuguese government, the dismissal of the captain of the frigate which captured the British vessels, the immediate restoration of them, and a full compensation to the owners, crews, and passengers.

Gen. Baudrand had arrived at London, on a special mission from the king of the French, and was introduced by the earl of Aberdeen to king William the 4th. He was received. William has also sent a letter of congratulation to Louis Philippe, *recognizing the new government of France.*

Austria and Germany generally seem much agitated by the late events in France. Many troops had been ordered to Italy—but given out as being merely defensive. The Marseilles hymn is heard at Hamburg.

In Paris every thing appears to be tranquil. The workmen, who were at one time somewhat disposed to be tumultuous, have become quiet. The new sovereign of France has been acknowledged by the king of England, and it is also said that he would also be recognized by the governments of Austria, Russia and Prussia.

A committee of the chamber of peers was preparing articles of unpeachment against the ex-ministers, of whom Messrs. *de Polignac, Peyronnent, Chantelause,* and *Guernon de Ranville,* were confined in the castle of Vincennes, where the committee had been to examine them. There is an ordonnance of the king recalling all Frenchmen banished under the law of January, 1816, and restoring them to their rank and pensions.

The imprisoned ex-ministers, underwent a long examination on the 28th August, by the commissioners of the chamber of deputies. Peyronnet appears, by his hauteur, his contempt, and insolence to the national guards, to be determined to "die game," indeed to provoke his fate. His courage never was doubted, but his claim to good sense will suffer by this puerile affectation.

As soon as the loss of the crown by Charles X. was known at Rome, the members of Bonaparte's family, who reside in that city, informed the French ambassador, that as the flight of the ancient dynasty annulled the decree by which they were banished from their country, they intended to take advantage, without delay, of the liberty of returning.

A telegraphic despatch, received at Bordeaux, on the 23d, by general Jamin, announced that French vessels bearing the tri-colored flag are now received in all the ports of Spain.

The duke de Bourbon has committed suicide, owing, it is supposed, to the embarrassed state of his fortunes.

Forty thousand national guards were reviewed at Paris, on the 29th of August.

Count de Bourmont writes from the Cassauba, under date of the 17th August to Marshal count Gerard, minister of war: "The army and the fleet have hoisted to-day the tri-colored flag. The troops have laid aside the white cockade; they will assume the new colors as soon as all the corps can do so at the same time."

The memory of the late king is apparently forgotten. The profound grief into which the nation was plunged by that afflictive event has passed away, and the minutest act of the reigning sovereign is recorded in a spirit of puerile and abject adulation.

One of the London papers has the following sneer at Russian servility:—

Royal condescension—It was lately announced by a St. Petersburg journal, that "his majesty was *graciously pleased,* during his stay at Warsaw, *to enjoy excellent health.*"

The same paper, however, and on the same page of it, has the subsequent article—not perhaps quite so absurd, but certainly not less ridiculous:—

Her majesty had the housemaids before her at Windsor Castle the other day, and said to them, "I wish you to understand that I will have no silk gowns worn here; and," the queen added, "*you must wear aprons.*"

The Spanish patriots Mina and Quiroga had arrived at Paris.

Expedition against Tripoli. The maritime prefect of Toulon transmitted to the minister of marine the following telegraphic despatch:

Rear Admiral Rosaniel to the minister, of Marine Board of Tripoli, Aug. 13.

The wishes of the king are accomplished. The important mission to the government of Tripoli, which he confided to me, has been completely successful, without the assistance of arms, and without bloodshed. The dey has signed all the conditions before imposed on him, and has ratified them by the treaty which I concluded with him on the 11th August."

The former report of the revolution in Spain, and the advance of gen. Mina with an army appears to be unfounded.

The apostolicals and the absolutists, who were frightened at first at the events in France, begin to recover from astonishment, and announce even that a counter revolution will very soon take place. They form a coalition of 600,000 Russians, 200,000 Austrians and receive, in the same proportion, contingents from all the other powers of Europe, destined to establish absolute power in France. They assert that insurrections in favor of Charles X. and divisions among the constitutionalists, have manifested themselves, and that within three months they will be all of them exterminated.

Paris Journal Debats contains the following paragraph—

"M. Hyde de Neuville has resigned his seat in the chamber of deputies. We are not judges of the motives which have induced him to take this step; but we are very certain that on this occasion, as in all the other acts of his life, M. Hyde de Neuville has only followed the dictates of his conscience. The chamber of deputies will regret the loss of so worthy and so loyal a colleague. We sincerely join in their regret, and trust that one of the most honorable characters of our times will not be lost for ever to public affairs."

Spain. The people are said to be in insurrection in Galicia, and to have hoisted the black flag,

Mexico is completely torn to pieces by internal commotions. The troops of Bravo have been much cut up by the forces of Alvarez. Another account states that Alvarez has suffered some sad reverses.

INTERESTING ITEMS.

French revolution. A grand procession is to take place in Baltimore on the 19th inst. in honor of this important event. The ceremonies are to be concluded by an oration to be delivered by *William Wirt,* esq.

Gen. Root has declined the nomination made at Salina, feeling himself bound by that of the Herkimer convention.

Col. *Drayton* has been nominated to congress by both parties in Charleston.

The Warren factory, near Baltimore, was sold on Saturday the 2d instant for $68,000. This factory, with its lands adjacent, has cost 400,000 dollars. The great printing establishment was destroyed by fire last spring.

Mr. Vaughan has presented his new credentials to the president, as envoy extraordinary, &c. from king William the 4th.

A Bath (English) paper mentions the following important invention, which we hope soon to see introduced into this country, where, perhaps, there is a greater field open for the discovery than any other part of the world.

Mr. G. V. Palmer, of Worcester, has taken out a patent for a machine in perfecting which he has been engaged for the last ten years. It works by steam, and is particularly adapted for cutting canals, levelling hills for railways, or removing large masses of earth. The engine cuts, at a single movement, six feet wide and three feet deep, delivering into a cart upwards of a ton per minute. It is calculated that 560 yards of hard soil, or 720 of marle or soft soil, may be thus removed in twelve hours. The machine also cuts and sifts gravel with like rapidity. It may be expected that the introduction of this machine will give a stimulus to the road improvements and other works.

Knapp, one of the persons concerned in the murder of Mr. White, at Salem, was hung on the 28th ult. It is said that 8 or 10,000 persons assembled to witness the spectacle.

In one of the gales of wind last month, the ship Superb, loaded with a valuable cargo of dry goods, &c. bound to

New-Orleans, was wrecked on one of the Bahama Islands. Among the *valuables* saved from the wreck, was about $7,000 in *Salem and Philadelphia manufacturing company bills*—going south, it is supposed, for a *market*.

On inserting the speech of the duke Fitzjames, given in our last paper, the Petersburg Intelligencer says, "It may with propriety we think be termed the *funeral oration* of the *last of the* STEWARTS over the LAST OF THE BOURBONS—Fitzjames being a descendant of James II. of England, and Charles X. being politically dead."

A New York paper says that the office of register in chancery, held by Mr. James Porter, is in the receipt of fifteen thousand dollars a year.

It is stated that the cotton crop in Florida will be large and of an excellent quality.

A fire, which was very destructive, broke out at 224 Bowry, New York, on the morning of the 3d inst. and four persons employed in a bakery, supposed to have been asleep at its commencement, were burnt to death!

The governor of Mississippi has appointed George Poindexter a senator in congress, to supply the vacancy occasioned by the death of Robert Adams.

The steam boat Ohio lately made the trip between New York and Albany, called 160 miles, in 9*h*. 58*m*.

Twenty-one houses, 12 of them three story buildings of brick, were destroyed by fire at Oswego, N. Y. on the 1st. inst. Loss 50,000 dollars.

Mr. Haxall's large flour mills, at Richmond, Virginia, were destroyed by fire a few days since—loss estimate at 30,000 dollars, much wheat and flour being consumed.

MR. MADISON'S LETTER.

To the editor of the North American Review.

Montpelier, August, 1830.

DEAR SIR—I have duly received your letter, in which you refer to the "nullifying doctrine," advocated as a constitutional right, by some of our distinguished fellow citizens; and to the proceedings of the Virginia legislature in '98 '99, as appealed to in behalf of that doctrine; and you express a wish for my ideas on those subjects.

I am aware of the delicacy of the task in some respects, and the difficulty in every respect, of doing full justice to it. But, having, in more than one instance, complied with a like request from other friendly quarters, I do not decline a sketch of the views which I have been led to take of the doctrine in question, as well of some others connected with them; and of the grounds from which it appears, that the proceedings of Virginia have been misconceived by those who have appealed to them. In order to understand the true character of the constitution of the United States, the error, not uncommon, must be avoided, of viewing it through the medium, either of a consolidated government, or of a confederated government, whilst it is neither the one nor the other; but a mixture of both. And having, in no model, the similitudes and analogies applicable to other systems of government, it must, more than any other, be its own interpreter according to its text and *the facts of the case*.

From these it will be seen that the characteristic peculiarities of the constitution are, 1, the mode of its formation; 2, the division of the supreme powers of government between the states in their united capacity, and the states in their individual capacities.

1. It was formed, not by the governments of the component states, as the federal government for which it was substituted was formed. Nor was it formed by a majority of the people of the United States, as a single community in the manner of a consolidated government.

It was formed by the states, that is by the people in each of the states, acting in their highest sovereign capacity; and formed consequently by the same authority which formed the state constitutions.

Being thus derived from the same source as the constitutions of the states, it has, within each state, the same authority as the constitution of the state; and is as much a constitution, in the strict sense of the term, within its prescribed sphere, as the constitutions of the states are, within their respective spheres; but with this obvious and essential difference, that being a compact among the states in their highest sovereign capacity, and constituting the people thereof one people for certain purposes, it cannot be altered or annulled at the will of the states individually, as the constitution of a state may be at its individual will.

2. And that it divides the supreme powers of government, between the government of the United States, and the governments of the individual states, is stamped on the face of the instrument; the powers of war and of taxation, of commerce and of treaties, and other enumerated powers vested in the government of the United States, being of as high and sovereign a character, as any of the powers reserved to the state governments.

Nor is the government of the United States, created by the constitution, less a government in the strict sense of the term, within the sphere of its powers, than the governments created by the constitutions of the states are, within their several spheres. It is like them organized into legislative, executive, and judiciary departments. It operates like them, directly on persons and things. And, like them, it has at command a physical force for executing the powers committed to it. The concurrent operation in certain cases, is one of the features marking the peculiarity of the system.

Between these different constitutional governments, the one operating in all the states, the others operating separately in each, with the aggregate powers of government divided between them, it could not escape attention, that controversies would arise concerning the boundaries of jurisdiction; and that some provision ought to be made for such occurrences. A political system that does not provide for a peaceable and authoritative termination of occurring controversies, would not be more than the shadow of a government, the object and end of a real government being the substitution of law and order for uncertainty, confusion and violence.

That to have left a final decision, in such cases, to each of the states, then thirteen, and already twenty-four, could not fail to make the constitution and laws of the United States different in different states, was obvious; and not less obvious, that this diversity of independent decisions, must altogether distract the government of the union, and speedily put an end to the union itself. A uniform authority of the laws, is in itself a vital principle. Some of the most important laws could not be partially executed. They must be executed in all the states, or they could be duly executed in none. An impost, of an excise, for example, if not in force in some states, would be defeated in others. It is well known that this was among the lessons of experience, which had a primary influence in bringing about the existing constitution. A loss of its general authority would moreover revive the exasperating questions between the states holding ports for foreign commerce, and the adjoining states without them; to which are now added all the inland states, necessarily carrying on their foreign commerce through other states.

To have made the decisions under the authority of the individual states, co-ordinate, in all cases, with decisions under the authority of the United States, would unavoidably produce collisions incompatible with the peace of society, and with that regular and efficient administration which is of the essence of free governments. Scenes could not be avoided, in which a ministerial officer of the United States, and the correspondent officer of an individual state, would have rencontres in executing conflicting decrees; the result of which would depend on the comparative force of the local posses attending them; and that, a casualty depending on the political opinions and party feelings in different states.

To have referred every clashing decision, under the two authorities, for a final decision, to the states as parties to the constitution, would be attended with delays, with inconveniences, and with expenses, amounting to a prohibition of the expedient; not to mention its tendency to impair the salutary veneration for a system requiring such frequent interpositions, nor the delicate questions which might present themselves as to the form of stating the appeal, and as to the quorum for deciding it.

To have trusted to negotiation for adjusting disputes between the government of the United States and the state governments, as between independent and separate sovereignties, would have lost sight altogether of a constitution and government for the union, and opened a di-

reet road from a failure of that resort, to the ultima ratio between nations wholly independent of and alien to each other. If the idea had its origin in the process of adjustment, between separate branches of the same government, the analogy entirely fails. In the case of disputes between independent parts of the same government, neither party being able to consummate its will, nor the government to proceed without a concurrence of the parts, necessity brings about an accommodation. In disputes between a state government, and the government of the United States, the case is practically as well as theoretically different; each party possessing all the departments of an organized government, legislative, executive, and judiciary; and having each a physical force to support its pretensions. Although the issue of negotiation might sometimes avoid this extremity, how often would it happen among so many states, that an unaccommodating spirit in some would render that resource unavailing. A contrary supposition would not accord with a knowledge of human nature, or the evidence of our own political history.

The constitution, not relying on any of the preceding modifications, for its safe and successful operation, has expressly declared, on the one hand, 1, "That the constitution, and the laws made in pursuance thereof, and all treaties made under the authority of the United States, shall be the supreme law of the land; 2, that the judges of every state shall be bound thereby, any thing in the constitution and laws of any state to the contrary notwithstanding; 3, that the judicial power of the United States shall extend to all cases in law and equity arising under the constitution, the laws of the United States, and treaties made under their authority," &c.

On the other hand, as a security of the rights and powers of the states, in their individual capacities, against an undue preponderance of the powers granted to the government over them in their united capacity, the constitution has relied on, 1, the responsibility of the senators and representatives in the legislature of the United States to the legislatures and people of the states; 2, the responsibility of the president to the people of the United States; and 3, the liability of the executive and judicial functionaries of the United States to impeachment by the representatives of the people of the states, in one branch of the legislature of the United States, and trial by the representatives of the states, in the other branch: the state functionaries, legislative, executive and judicial, being, at the same time, in their appointment and responsibility, altogether independent of the agency or authority of the United States.

How far this structure of the government of the United States is adequate and safe for its objects, time alone can absolutely determine. Experience seems to have shown, that whatever may grow out of future stages of our national career, there is, as yet, a sufficient control in the popular will, over the executive and legislative departments of the government. When the alien and sedition laws were passed in contravention to the opinions and feelings of the community, the first elections that ensued put an end to them. And whatever may have been the character of other acts, in the judgment of many of us, it is but true, that they have generally accorded with the views of a majority of the states and of the people. At the present day it seems well understood, that the laws which have created most dissatisfaction, have had a like sanction without doors; and that whether continued, varied or repealed, a like proof will be given of the sympathy and responsibility of the representative body to the constituent body. Indeed, the great complaint now is, against the results of this sympathy and responsibility in the legislative policy of the nation.

With respect to the judicial power of the United States, and the authority of the supreme court in relation to the boundary of jurisdiction between the federal and the state governments, I may be permitted to refer to the thirty-ninth number of the "Federalist,"* for the light in which the subject was regarded by its writer, at the period when the constitution was depending; and it is believed, that the same was the prevailing view then taken of it, that the same view has continued to prevail, and that it does so at this time, notwithstanding the eminent exceptions to it.

But it is perfectly consistent with the concession of this power to the supreme court, in cases falling within the course of its functions, to maintain that the power has not always been rightly exercised. To say nothing of the period, happily a short one, when judges in their seats did not abstain from intemperate and party harangues, equally at variance with their dignity, there have been occasional decisions from the bench, which have incurred serious and extensive disapprobation. Still it would seem, that, with but few exceptions, the course of the judiciary has been hitherto sustained by the predominant sense of the nation.

Those who have denied or doubted the supremacy of the judicial power of the United States, and denounce at the same time nullifying power in a state, seem not to have sufficiently adverted to the utter inefficiency of a supremacy in a law of the land, without a supremacy in the exposition and execution of the law; nor to the destruction of all equipoise between the federal government and the state governments, if, whilst the functionaries of the federal government are directly or indirectly elected by and responsible to the states, and the functionaries of the states are in their appointment and responsibility wholly independent of the United States, no constitutional control of any sort belonged to the United States over the states. Under such an organization, it is evident that it would be in the power of the states, individually, to pass unauthorized laws, and to carry them into complete effect, any thing in the constitution and laws of the United States to the contrary notwithstanding. This would be a nullifying power in its plenary character; and whether it had its final effect, through the legislative, executive, or judiciary organ of the state, would be equally fatal to the constituted relation between the two governments.

Should the provisions of the constitution as here reviewed, be found not to secure the government and rights of the states against usurpations and abuses on the part of the United States, the final resort within the purview of the constitution lies in an amendment of the constitution, according to a process applicable by the states.

And in the event of the failure of every constitutional resort, and an accumulation of usurpations and abuses, rendering passive obedience and non-resistance a greater evil than resistance and revolution, there can remain but one resort, the last of all—an appeal from the cancelled obligations of the compact, to original rights and the law of self-preservation. This is the *ultima ratio* under all governments, whether consolidated, confederated, or a compound of both; and it cannot be doubted that a single member of the union, in the extremity supposed, but in that only, would have a right, as an extra and ultra-constitutional right, to make the appeal.

This brings us to the expedient lately advanced, which claims for a single state a right to appeal against an exercise of power by the government of the United States decided by the state to be unconstitutional to the parties to the constitutional compact; the decision of the state to have the effect of nullifying the act of the government of United States, unless the decision of the state be reversed by three-fourth of the parties.

The distinguished names and high authorities which appear to have asserted and given a practical scope to this doctrine, entitle it to a respect which it might be difficult otherwise to feel for it.

If the doctrine were to be understood as requiring the three-fourths of the states to sustain, instead of that proportion to reverse the decision of the appealing state, the decision to be without effect during the appeal, it

* No. 33. It is true that in controversies relating to the boundary between the two jurisdictions, the tribunal which is ultimately to decide, is to be established under the general government. But this does not change the principle of the case. The decision is to be impartially made, according to the rules of the constitution; and all the usual and most effectual precautions are taken to secure this impartiality. Some such tribunal is clearly essential to prevent an appeal to the sword, and a dissolution of the compact; and that it ought to be established under the general, rather than under the local governments; or, to speak more properly, that it could be safely established under the first alone, is a position not likely to be combated.

would be sufficient to remark that this extra-constitutional course might well give way to that marked out by the constitution, which authorizes two-thirds of the states to institute and three-fourths to effectuate an amendment of the constitution, establishing a permanent rule of the highest authority, in place of an irregular precedent of construction only.

But it is understood that the nullifying doctrine imports that the decision of the state is to be presumed valid, and that it overrules the law of the United States, unless overruled by three-fourths of the states.

Can more be necessary to demonstrate the inadmissibility of such a doctrine, than that it puts it in the power of the smallest fraction over one-fourth of the United States, that is, of seven states out of twenty-four, to give the law and even the constitution of seventeen states, each of the seventeen having as parties to the constitution, an equal right of the seven, to expound it, and to insist on the exposition? That the seven might, in particular instances be right, and the seventeen wrong, is more than possible. But to establish a positive and permanent rule giving such a power, to such a minority, over such a majority, would overturn the first principle of free government, and in practice necessarily overturn the government itself.

It is to be recollected that the constitution was proposed to the people of the states as *a whole*, and unanimously adopted by the states as *a whole*, it being a part of the constitution that not less than three-fourths of the states should be competent to make any alteration in what had been unanimously agreed to. So great is the caution on this point, that in two cases where peculiar interests were at stake, a proportion even of three-fourths is distrusted, and unanimity required to make an alteration.

When the constitution was adopted as a whole, it is certain that there were many parts, which, if separately proposed, would have been promptly rejected. It is far from impossible, that every part of a constitution might be rejected by a majority, and yet taken together as a whole, be unanimously accepted. Free constitutions will rarely if ever be formed, without reciprocal concessions; without articles conditioned on and balancing each other. Is there a constitution of a single state out of the twenty-four that would bear the experiment of having its component parts submitted to the people and separately decided on?

What the fate of the constitution of the United States would be if a small proportion of the states could expunge parts of it particularly valued by a large majority, can have but one answer.

The difficulty is not removed by limiting the doctrine to cases of construction. How many cases of that sort, involving cardinal provisions of the constitution have occurred? How many now exist? How many may hereafter spring up? How many might be ingeniously created, if entitled to the privilege of a decision in the mode proposed?

Is it certain that the principle of that mode would not reach further than is contemplated? If a single state can of right require three-fourths of its co-states to overrule its exposition of the constitution, because that proportion is authorized to amend it, would the plea be less plausible that, as the constitution was unanimously established, it ought to be unanimously expounded?

The reply to all such suggestions seems to be unavoidable and irresistable, that the constitution is a compact, that its text is to be expounded according to the provisions for expounding it—making a part of the compact; and that none of the parties can rightfully renounce the expounding provision more than any other part. When such a right accrues, as may accrue, it must grow out of abuses of the compact releasing the sufferers from their fealty to it.

In favor of the nullifying claim for the states, individually, it appears, as you observe, that the proceedings of the legislature of Virginia, in '98, and in '99, against the alien and sedition acts, are much dwelt upon.

It may often happen, as experience proves, that erroneous constructions not anticipated, may not be sufficiently guarded against, in the language used; and it is due to the distinguished individuals, who have misconceived the intention of those proceedings, to suppose that the meaning of the legislature, though well comprehended at the time, may not now be obvious to those unacquainted with the contemporary indications and impressions.

But it is believed that by keeping in view the distinction between the governments of the states, and the states in the sense in which they were parties to the constitution; between the rights of the parties in their concurrent and in their individual capacities; between the several modes and objects of interposition against the abuses of power, and especially between interpositions within the purview of the constitution, and interpositions appealing from the constitution to the rights of nature, paramount to all constitutions; with an attention, always of explanatory use, to the views and arguments which were combated, the resolutions of Virginia, as vindicated in the report on them, will be found entitled to an exposition, shewing a consistency in their parts, and an inconsistency of the whole with the doctrine under consideration.

That the legislature could not have intended to sanction such a doctrine, is to be inferred from the debates in the house of delegates, and from the address of the two houses to their constituents, on the subject of the resolutions. The tenor of the debates, which were ably conducted, and are understood to have been revised for the press by most, if not all of the speakers, discloses no reference whatever to a constitutional right of an individual state to arrest by force the operation of a law of the United States. Concert among the states for redress against the alien and sedition laws, as acts of usurped power, was a leading sentiment; and the attainment of a concert, the immediate object of the course adopted by the legislature, which was that of inviting the other states "to *concur* in declaring the acts to be unconstitutional, and to *co-operate* by the necessary and proper measures in maintaining unimpaired the authorities, rights and liberties reserved to the states respectively and to the people."* That by the necessary and proper measures to be *concurrently* and *co-operatively* taken, were meant measures known to the constitution, particularly the ordinary control of the people and legislatures of the states, over the government of the United States, cannot be doubted; and the interposition of this control, as the event shewed, was equal to the occasion.

It is worthy of remark, and explanatory of the intentions of the legislature, that the words "not law, but utterly null, void and of no force or effect," which had followed, in one of the resolutions, the word "unconstitutional," were struck out by common consent. Though the words were in fact but synonymous with "unconstitutional," yet, to guard against a misunderstanding of this phrase as more than declaratory of opinion, the word "unconstitutional" alone was retained, as not liable to that danger.

The published address of the legislature to the people, their constituents, affords another conclusive evidence of its views. The address warns them against the encroaching spirit of the general government, argues the unconstitutionality of the alien and sedition acts, points to other instances in which the constitutional limits had been overleaped; dwells upon the dangerous mode of deriving power by implication; and in general presses the necessity of watching over the consolidating tendency of the federal policy. But nothing is said that can be understood to look to means of maintaining the rights of the states, beyond the regular ones, within the forms of the constitution.

If any further lights on the subject could be needed, a very strong one is reflected in the answers to the resolutions, by the states which protested against them. The main objection of these, beyond a few general complaints of the inflammatory tendency of the resolutions, was directed against the assumed authority of a state legislature to declare a law of the United States unconstitutional, which they pronounced an unwarrantable interference with the exclusive jurisdiction of the supreme court of the United States. Had the resolutions been regarded as avowing and maintaining a right, in an individual state, to arrest, by force, the execution of a law of the United States, it must be presumed that it would have been a conspicuous object of their denunciation.

With cordial salutations, JAMES MADISON.

*See the concluding resolution, of 1798.

THE NULLIFICATORS.

The following letters from Messrs. Troup and Cheves, were received by the managers of the great "state rights" dinner, held at Columbia, S. C. on the 20th ult. They offer an admirable contrast to the clear and lucid exposition of the powers of the constitution, given by Mr. Madison in his letter published in the preceding pages.

From the Columbia S. C. Telescope.

We beg leave to call the special attention of our readers to the following letter of gov. Troup to the committee of invitation to the recent dinner at this place.

Laurens county, Geo. Sept. 21st, 1830.

Gentlemen: Accept my thanks for your polite invitation to a public meeting and dinner at Columbia, directed to Milledgeville; it did not reach me until last mail. Whether with you on that interesting occasion or not, you have my best wishes for the results of the wise counsels and patriotic efforts which you cannot fail to carry to the discussion of the topics of the day; they are of first importance to the whole union.

Whatever the people of South Carolina in convention shall resolve for their safety, interest and happiness, will be right, and none will have the right to question it. You can change your own government at pleasure, and therefore you can throw off the government of the union whenever the same safety, interest and happiness require it. If ambition and avarice shall make the federal government a curse, and the states are to be held to it against their will, our condition differs in nothing from that of the provinces of Turkey or Persia. The many headed tyrant, in the habitual violation of the constitution, vaunts his love of union, as if ready to make a burnt offering of his looms and spindles upon the altar of that union—yet not one jot of concession is made to the prayers and entreaties which, if offered to the Throne of Grace, would be received graciously and answered favorably. The cormorant who fastens and fattens on our substance, may not release his hold, so long as we are the willing subject of his remorseless passion. But I do not utterly dispair—the American people will see that the constitution and union can only be preserved by a return to honesty and justice. It is impossible we can be wrong—ours is the cause of liberty—of freedom—of industry—of the use of the faculties of mind and body, for all purposes, merely innocent, without governmental interference; opposed to restraints and prohibitions and monopolies in every form. If, contrary to expectation, the existing system shall become the fixed and settled policy of the country, the southern states must withdraw from the confederacy, cost what it may. No evil is more to be dreaded than a power in the general government to regulate industry—a power which cannot with safety be confided to any government, but with the most guarded limitations.

Direct taxes for the encouragement of manufactures would not have been paid for a single year. The five cents a yard on our cotton bagging, levied for the professed purpose of enabling the western states to supply the article on their own terms, when the proceeds were to make roads and canals for the same states, would have been opposed with a spirit not easily allayed. They have been borne only because, being *indirect*, they are unseen, and because a portion of the evil may be avoided by the non-consumption of those articles which are not of first necessity. There cannot be a greater fallacy than that the union is to be preserved by a power in the general government to *coerce* the states. The existence of sovereignty excludes the idea of force. Ours is a government of opinion, of consent, of voluntary association, the only guaranty for union is justice. Justice secures good feeling, fidelity, affection; and nothing but justice can secure them.

Of what value is that union which is formed of unwilling and reluctant members, who, but for the sword suspended over their heads, would fly off from the common centre, as from a fierce and consuming fire, which burns only to destroy? The constitution, administered according to its letter and spirit, can dispense nothing but justice, and the character of the American people is their sufficient warranty that no state would separate from the union without justifiable cause.

Regarding the union as a family compact, the members of which can only be kept together by the practice of strict and impartial justice, it is better that the non-contents and malcontents should be suffered to depart in peace by common consent, than by common concert, to constrain a reluctant obedience, which, if yielded to-day, may be forcibly withdrawn to-morrow. It is the shedding of blood which deters us from constitutional resistance to unconstitutional laws, and which ought to be postponed so long as the faintest hope remains of a returning sense of justice. You well know how the same infatuation is constantly pursuing an interest infinitely more sacred, the unhallowed touch of which we would be bound in honor to resist, and with a vengeance never to be appeased. But pardon so much on these distressing topics, and accept the tender of my regard and esteem. G. M. TROUP.

To Messrs. John Taylor, Wade Hampton, jr. John G. Brown, Pierce M. Butler, and William Harper.

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From the Columbia Times and Gazette.
Proceedings of the twentieth September, 1830.

JUDGE CHEVES' LETTER.

Charleston, 15th Sept. 1830.

Gentlemen—I have had the honor to receive your letter of the 16th ultimo, by which I am invited to participate in "a public meeting and dinner, at Columbia" on the 20th inst. You are also pleased to add, that "the meeting is called with a view to the discussion and more thorough understanding of the important political topics which engage the attention of the people of the state."

I regret that circumstances connected with my domestic concerns, will prevent me from enjoying the pleasure and honor which your invitation puts in my power. But presuming that it will be in accordance with the objects of the meeting, to receive the views of those who have been invited to attend it, and are unable to do so, and lest it may be supposed I am unwilling to give publicity to mine, I will subjoin them in as few words as the nature of the subject will permit.

On the topics that now so much agitate the public mind, I have never had but one opinion, affecting as well the injury as the remedy. The injury, I think, far exceeds the common estimate. That considers it as an unjust, unequal and oppressive tax, terminating in itself. The magnitude of the evil, in this view, would ordinarily be supposed cause enough for resistance, in the most extreme modes, when, as in this, it is obvious, the common remedy under our institutions—that of the ballot box—does not and cannot apply; and when to mention it, is to mock the sufferer. But the evil swells, when we consider its motives, tendencies, abuses and probable duration, to a size and shape altogether alarming. In these views, we behold among other evil results, a power in which we have no practical participation, and over which we have no control, to tax us, employed not simply in imposing the burthen of the day, unjust and enormous in itself, but in establishing, at the same time, principles, which in their effect and tendency, subvert, first, the great pecuniary interests of the south, and, next, all the protective power, with which the scheme of our government had clothed them. For, while these burthens are imposed, to the great injury and perhaps to the final subversion of those objects of our industry on which they bear, and, not for the ordinary and legitimate purpose of revenue, but to build up new and artificial interests, supposed to be beneficial to other and distant portions of the union; while, I say, they are imposed for such unjust and insufferable purposes, they are at the same time appropriated to interest other states, by the division of the spoil, in the permanency of the policy, and thus to deprive us of all hope which might have grown out of the balanced interests of the community, through the disinterestedness and impartiality of the latter portions of the union. In this way, we behold the burthen fixed upon us with double power and probably forever.

I believe this statement to be faithfully true, except as it shall be wanting in strength; and if it be not greatly overcharged, does it not exhibit a case involving most deeply and injuriously the interests, the honor, and the practical independence of the state? In the same manner it affects all the southern states.

On the only occasion, on which I have expressed an opinion in public on this subject, I declared my belief that the southern states suffered all the evil legislation

and ignominy of a colonial condition, without any of its advantages. The condemnation and vituperation which have been cast upon this opinion, have not charged it. I still entertain the opinion, and still think that the evil ought not to be borne, but ought to be resisted at the proper time and under the proper circumstances, at any and every hazard. It ought to be peaceable, if possible, and every means calculated to make the issue peaceable, ought to be patiently and judiciously employed, before we think of force: But if force be indispensable to effective resistance, I do not hesitate to say we ought to suffer and employ it, rather than submit. Submit! Why, the question is, whether we will bear oppression or not! And is this question submitted to a free people? Oppression in the worst and most dangerous of all forms—oppression in the imposition of the great pecuniary burthens of the state, where tyranny, whether popular or monarchical, always begins its attack. Let government have the unlimited and unrestrained power to impose pecuniary burthens, and that government be not self-government, and what is left of liberty and independence? And will it be any mitigation of the reality or weight of the evil, that you suffer under the forms, without the power of self-government? When I say this oppression ought to be resisted, at any and every hazard, I walk on consecrated ground—that of our revolution—and, am sustained by the general examples of history. The motives of that revolution, however just and satisfactory, are paltry, compared with the evils of these impositions, whether we consider them in their direct effects, or in their future tendencies; nor is there a page in the volume of history that contains so foul a blot as the record of the final submission of independent states, uncontrolled by power, to such unequal and unjust legislation.

But, as I remarked on the public occasion on which I first expressed the opinion that the evils of which the south complains ought to be resisted, so on this I say, I deprecate all action by one state. I have no confidence in any resistance, peaceable or forcible, which shall not embrace a majority of the suffering states. I believe—I am sure, it will be abortive resistance. On the contrary, to will, by a united determination, a redress of southern wrongs and the security of southern rights, will be effectually to accomplish both. Any measure by one of the suffering states alone, will be a measure of feebleness, subject to many hazards. Any union among the same states, will be a measure of strength, almost of certain success.

The case must be one growing out of long suffering and deep tribulation, where a single state, forming one of a closely united family, (I mean not merely a political connexion, but one of sentiment, and feeling, and interest, and juxtaposition, such as the southern states eminently form), can act alone with spirit and success, when it shall not have the sustaining approbation of the sisterhood; and still more so, if the cloud of their disapprobation shall cast its shadows on the effort.

The full power of public sentiment may be considered a sort of modern discovery, if it be not, in a regular shape, entirely a creature of modern institutions. It is at least one of infinite influence, by which the conduct of every free state is absolutely governed. That public sentiment, however, is not the feeling merely of a part of the community, but of the whole of that aggregate people, however numerous, and though separated into independent states, who have a common identity. This common identity expands or is contracted by the subject which it affects. There is a common identity and a common public sentiment (the weaker to be sure when so expanded) embracing all civilized people. In our external relations there is a common public sentiment embracing the whole union. But in our external relations, the states are divided into western, eastern, middle and southern sections. The south has thus a separate identity and a common public sentiment among themselves, (the stronger from the nearness and intimacy of their relations), in reference to their internal or peculiar affairs. There may be cases where this common or peculiar identity may be confined to a single state—for example, that of Georgia, on the Indian question. Where this common identity and consequent common public sentiment affect any subject, it is scarcely possible for any one member of the confraternity of feeling and character, to act alone upon it, because, according to our maxim of the power of public sentiment, the conduct of the whole mass must be in conformity with the sentiment of the whole mass. It is in vain to say that each is a sovereign, and if others do not duly feel a common injury or dread a common danger, it becomes the duty of an individual state, it it cannot combine with the others, to act alone.

The logic may be perfectly clear, (which, by the by, I do not concede, except as applied to extreme cases,) but it will be found impossible to make practical. There is a *spell* which manacles the most vigorous. There is a forbidding aspect, not of terror, but of fraternity, which we cannot meet without relaxing in our determinations, however fixed they may have been. Neither excitement, nor pledges, nor the sanctions of the soundest wisdom, (such, I mean, as would be so, if supported by the general adoption and approbation,) will sustain the actor, when unsupported by the public sentiment of the sphere to which he belongs. He may plunge in with the utmost determination, (desperation, if you please,) but if he be human and rational, he will be recalled by the cold or the forbidding regards of the public sentiment.

It may be truly said, then, I think, that all separate action by one of the southern states on this question, which is common to them all, however wise would be the same measure, if it were favored by the general adoption, will be feeble and unsuccessful.

I proceed now to notice some of the specific grounds which have been suggested for the action of this state.—Among these *remonstrances*, in the sovereign character of the state, seem not altogether to be discarded. These I consider as worse than idle, for so ought all dependence on means so certainly deceptive and delusive to be considered. For the utter worthlessness of this mean, let our imaginations transfer us to Washington, on the occasion when the solemn protests of this state, and of the state of Georgia were presented. They could not have been presented with more dignity, or with more eloquence, or in a more imposing manner. But did they attract any consideration, or produce any sensation? I appeal to those who were present on the occasion, whether the repose of the letter writers, at their desks, was broken by this awful presence of two remonstrating sovereigns? A proposed appropriation of a few hundred dollars to indemnify a petitioner for a negro lost in the campaign of New Orleans, excited fifty—nay, I am sure I do not exaggerate, however hyperbolical the statement may appear, when I say fifty thousand times the sensation that was produced by the protests of these sovereign states. And will you remonstrate again under like circumstances?

On *nullification*, another of the specific modes of action which have been suggested, I think a construction has been put, in this state, different from that which Jefferson and Madison, and the Virginia and Kentucky legislatures intended it should bear. I do not say a less correct one. They, as I suppose, considered it a mere declaration of opinion on the part of the states of the invalidity of the law. Nullification in this sense has already been adopted by the state, and a majority of the southern states.

The "interposition" of which these high authorities speak, and which they hold out as an ulterior remedy, if the moral influence of the nullifying declaration shall not be effective, is simply the exercise of that power that belongs to and cannot be separated from a state which remains sovereign.

The books talk of dependent sovereigns, but the common sense of that is, that those who are so called, either from motives of interest or policy, agree voluntarily, and during their pleasure, to suspend or delegate a portion of their power, or, are under forcible subjection to another power, and are in the latter case, not sovereign in a just sense. Sovereign states may suspend or delegate the exercise of many of their powers, without a diminution of their sovereignty, under a compact with other sovereigns. But whatever name be given to this compact, if the confederate states remain sovereign, it is no more than a *treaty* of a solemn kind, which any state may withdraw from at pleasure. One state of the confederacy may interpose by entreaty, by negociation, or by remonstrance, with a view of obtaining redress of a particular evil in the execution of the treaty, and still acknowledge the binding efficacy

of it, or it may at once resume its power and exercise, and sustain all its original rights at pleasure, as if no such treaty had ever existed. It has precisely the same means to sustain itself that all sovereigns have—the moral and physical force of the state. It is subject to the same control (and no other,) which may be brought to bear on all sovereigns, namely, the like moral and physical force. But whatever be the true doctrine on the subject of nullification, there is too great a diversity of opinion on the expediency of it, to authorize its adoption, at this time, in the sense put upon it in this state.

The last of the specific modes of action, which have been thrown out, is a *convention* of the people of the state, to be called under the constitution of the state. This I conceive to be equally impolitic, and still more unsuited to the occasion and the object, because (I speak with great deference but not less confidence) it can lead to no *authoritative result*, and it appears to me to be proposed for the worst reason imaginable—a want of any definite notion of a practical line of conduct. A convention, I conceive, should only be called for some great specific object. No one has, however, suggested any definite question of decisive character, on which this convention is to act, except that of nullification. And why should a convention be called on this question? It cannot even act upon it, in an authoritative shape. A convention employed according to the principles of constitutional government, *can only act on the frame of the government, that is to say, give, take away, or modify its power. It cannot legislate!*—by what process then can it nullify? As to the authority of the government of the state, as it now stands, it is not in the power of the convention to increase it with reference to the subject of sovereign rights, which are those in question. No government which recognizes the right of the people to abrogate or modify its existence can have greater power than the government of this state already possesses on such subjects. It has all the power that, on such questions, can be conferred on a government. It is an unlimited sovereign government, in reference to all other states and governments. The convention therefore, can do no legal or authoritative act unless it assume a revolutionary vigor, dissolve the actual government, and invest itself with all power.

I know it has been said that the ligature of the union was tied by a convention, and that therefore our relation to it cannot be changed but by a convention. This doctrine is both fallacious and dangerous. It would be to impair, if not to deny our great first principle, that the union is a confederation of sovereign states. The conventions which ratified the constitution of the union were instruments of the state sovereignties, called by their power, and responsive merely of the popular opinion. The people on that occasion neither dissolved, nor modified their corporate existence. It was a mere method of collecting the sense of the people on a point that the corporative sovereignty was able (as in the confederation of 1779,) to have decided without the reference. There is nothing in the nature of two instruments, which require the direct confirmation of the people in the one, and dispenses with it in the other. The greatest of all powers—those of peace and war—were invested in the confederation of 1778. The people may annihilate or modify the state governments when they please, but as long as they exist and are sovereign, they not only represent the people, but are the people in their corporate capacity. I am constrained to believe, (though I confess the sin of having long wandered from this good faith,) that there is neither safety nor truth in any doctrines which do not recognize *in all external regulations*, the governments of the states *exclusively* as the people of the states, and the *only* visible signs by which can be seen or known as sovereigns.

But so very indistinct and even wild are some of the motives assigned for the call of a convention, that it has been gravely urged as one, that if a practical remedy cannot be struck out by it, it may be used to put an end to the excitement altogether, by a popular sedative (through some act of the convention,) of the whole question! This does seem to be sporting in very wantonness with the most serious and sacred objects.

It has also been suggested, that a convention may remonstrate, and that coming from such a body, it would command the attention of the general government. Such an act of the convention for the reasons already suggested, would be merely popular, not legal—of the nature of a like remonstrance of any ordinary popular convention though more solemn and comprehensive, and would be exceptionable, as it would have a tendency to invalidate the authority, legal and moral, of the regular government. Nor is it probable the influence supposed would be felt. Bodies acting out of their sphere, are likely in politics, as in nature, to lose their attraction. I am afraid a convention thus employed, would be considered as a wandering planet. For who can seriously think of remonstrance after our experience of their inefficacy? For myself, I deem all remonstrances utterly idle and hopeless when they come from a single state. But if the southern states will rase a united voice, I have no doubt it will not only command attention, but likewise acquiescence in the demands.

I differ, therefore, entirely from those who have recommended modes of separate action. But I must be understood as not meaning to join at all in the opprobrious censures, which have been cast upon these measures or the distinguished men, who have put them forth for the public consideration. All I mean is respectfully to submit my reasons for a difference of opinion. These distinguished men are the ornaments of the state, have hitherto been, and will continue to be, its truest, ablest, best and most faithful advisers; and to withdraw the public confidence from them, would at once be ungrateful and unwise. The public is indebted to them for all the just views it has on the subjects which now so intensely agitate, and which must always so deeply interest it. They have been the faithful sentinels of the state, and if they be withdrawn from its watch-towers, I fear it will be a voice much less true to the interests of the people, and much less worthy of their confidence. Not to sustain them, would be little less than to abandon the struggle.

But it may be asked, "how is this union of effort, on the part of the southern states, to be brought about, and when is it probable they will effectually unite?" The first part of this inquiry is very easily answered. Any mean, [the simpler the better, for all incipient measures,] which will enable them to exchange their views on the subject, will be satisfactory. The remaining member of the inquiry is much more difficult—"When is it probable they will effectively unite?" Any one accustomed to the contemplation of public affairs, will see, at a glance, that the actual condition of the politics of the southern states, in connexion of the politics of the union, is not only the cause of the present apathy of the states, but, in all likelihood, will continue to smother their feelings and confound their views for some time to come. But inevitable delays are no argument against union and co-operation among the aggrieved states. These means are indispensable—no others are either practical or practicable; all others will be deceptive at first and finally abortive. The southern states on this subject are one people—one in interest, in feeling, in suffering, in locality and in power, and ought not to separate in resistance, whether peaceable or forcible. Let them unite, and whatever they demand, will, in all likelihood, be peaceably granted, if they sustain it in a proper manner.—Let them unite, and if their reasonable demands be not peaceably granted, they may be forcibly maintained.—But when I talk of force, I consider it as a result altogether beyond the range of probability, if the southern states unite in their counsels and their demands. The fear, however, of this result, has been arrayed in all the horrors of civil war and disunion, and has been the great engine which has been used against the cause and the friends of state rights—sometimes under the most honest conviction, but oftener with the most crafty designs.—War of any kind, if the south do not separate in their efforts, I consider as altogether visionary; but if it shall come, and we meet it under a united banner, it would be divested of all the evils of civil war, in the ordinary acceptation of the term. As to disunion, it is the most improbable of all events at this time. The motives to union are so strong, that it will resist the assaults even of its worst enemies, who are those who would maintain it in its oppressive usurpations.

South Carolina will, on her part, allow no caprice of feeling, nothing short of vital, intolerable and enduring evil to sever its bonds—Disunion will not be her choice,

but her necessity. But if such necessity should "fall on our times" and drive the southern states, (South Carolina will not go alone,) for a moment, from the union, it will be but for that brief space, which will be sufficient to show to other members, the true nature of the confederacy of these United States, and how much more they are interested than we are in its preservation. We shall be called back by such an impatient wooing as neither romance nor poetry hath typyfied. New England, for example, knows her interests too well, (if she does not, the event will teach her,) not to give up a brace of American Systems rather than lose the advantages she enjoys from an union with the southern states.

Great as is the interest of the last mentioned states in the preservation of the union, it is a simple and single one. Neither more nor less than the love and happiness of peace with their sister states. It is merely a *negative* advantage, [but not the less therefore,] to use the language of a very learned and eloquent divine, [Dr. Channing,] who appears to think and speak like a great statesman, and who, were his countrymen councelled by him, would, at once, put an end to all speech and all thought on the subject of disunion. The south asks and enjoys no other advantage from the union, and is ready to give for it a cordial return of the same great blessing; and besides, without further consideration, to make all sacrifices, beneficial to the other states, short of the surrender of its independent institutions and its vital interests—any thing short of dishonor and degradation. In foreign wars it is scarcely possible the southern states can be involved *but by the union*—as to the insolting pretence sometimes put forth that we want the aid of our sister states to sustain a peculiar part of our *southern polity*, let the history of the revolution give an ample refutation of the affornive suggestion; and if there shall still any sceptics remain, let them look at the census and discover a free, high spirited white population, as brave and athletic as any the union can exhibit, mixed up with the subject of that policy, which were the latter doubled in numbers, would be sufficiently numerous to put them down, before our self-construed allies in this peril, [which is the creature of their own imaginations,] could get intelligence of our danger, were it to arise—It is enough to say, that we fear neither foreign nor servile foes; and that the union is only valuable to us, [and as such we consider it above all price, short of the above named sacrifices,] as the best if not the only certain mean of preserving the peace of our geographical fraternity. On the side of our associates they have the full enjoyment of this inestimable advantage, [not less to them than us,] and they have besides not a few, but a vast number of great positive advantages which they exclusively enjoy. Let them calculate then, the value of the union, and be instructed by the fable of the bird that laid golden eggs. Unless, then, some special visitation of Providence shall becloud the clear intellect of our principal adversaries in the present struggle, they will not force us out of the union, and no other cause can sever us from it.

I am ashamed of the length of this communication: but I was obliged to be silent, to be misunderstood, or to trespass in this manner upon your patience.

I am, gentlemen, very truly and respectfully your most obedient servant. LANGDON CHEVES.

To Messrs. *John Taylor, Wade Hampton, jr. John G. Brown, Pierce M. Butler, and Wm. Harper.*

JUDGE JOHNSON.

From the Charleston Courier of October 1.

We have received from the hon. *William Johnson*, the following letter to the committee of arrangements, in reply to an invitation to be present at the meeting in Columbia, on the 20th instant.

It is due to the *Telescope* and *Times* to say, that they both gave the opinion of judge Johnson, in opposition to nullification and convention, at the same time that they published the opinions of other gentlemen, who replied to the committee by letter. The omission to notice judge Johnson's opinion, when we gave that of others, on Wednesday last, is wholly our own, and was purely accidental.

Charleston, Sept. 16.

GENTLEMEN—I have the honor to acknowledge your polite invitation of the 16th ult. to a dinner in Columbia, to be given on the 20th instant. The avowed and liberal purpose of the meeting, is "with a view to discussion, and a more thorough understanding of the imporant political topics which engage the attention of the people of this state," and of exchanging opinions with citizens from any other part of the state, who may favor you with their attendance.

I must apologize for not making an earlier acknowledgement of your favor, by informing you, that thus invited and encouraged, I immediately wrote a private letter to my friend, the chairman of your committee, to inquire if he thought I could promise myself a patient hearing, while defending certain propositions which I detailed to him, and which constitute my honest views or honest errors, on the great topics which at present divide us.

I have waited for an answer, until I could wait no longer, without committing the indecorum, of not answering your invitation in due form.

I regret exceedingly, gentlemen, that I am now constrained to decline the honor intended me, by your invitation; I say emphatically, "the honor," because with the views expressed in your invitation, it is impossible that your meeting can assume the character of one of those, in which men have, so often recently, been brought together, to be heated by wine and declamation, and surprised into intemperate toasts and sentiments. I would as soon be privy to intoxicating a jury, that sat upon a case of life and death, as be partaker of a feast of the latter character.

Believing that the invitation was intended to elicit my opinion on the great topics which are to effect the approaching election, I have no difficulty, gentlemen, in expressing them in a brief and general manner.

I am altogether opposed to the doctrine of nullification, (to use a barbarous and novel term, for want of a more direct mode of expressing an opinion,) and, as to a convention, I think it a most hazardous measure, and altogether nugatory, unless we mean to seeede from the union. And while I believe that nine tenths of those who favor the measure, are as honest in being disposed to favor it, as I am in my opposition to it, yet I must be permitted to say, that I most sincerely fear, that there are among us those who press the calling of a convention, for the distinct purpose of so embroiling our relations with the general government, as to involve the latter in the dilemma, of either abandoning the reins of government altogether, or of maintaining it by force. In the latter case, they flatter themselves that the states, or some of them, will take part with us, and thus in either case, a dissolution of the union would ensue. If there are any such, I trust they are very few in number, and must think them only fit to be consigned to the care of the regent of the lunatic hospital.

There cannot be a possible case imagined, in which we should be even countenanced by a single state, at present.

I am aware, that in the slang of the day, those who think, as I do, are reproached with the epithet of submission men, and the imputation of fear; but it is equally unjust or unreasonable in those who claim for themselves the attributes of patriotism, integrity and independent minds, to refuse the same to others. Nor are there wanting men in our ranks, who have some pretensions to character and talents. Our fear, is the fear of God, and of disgrace, and of public calamity; our submission, submission to our consciences.

I will conclude, gentlemen, by tendering the following toast, with profound respect to the meeting.

"*The generous feelings of my countrymen.*—Elevation of character is conspicuous in its most irregular movements. May it never be misdirected by false reasoning, false calculations, false pride, or false men."

With the highest respect, I have the pleasure to subscribe myself, gentlemen, your very humble servant,

WILLIAM JOHNSON.

GENERAL LAFAYETTE.

The following are extracts of letters received from gen Lafayette. The first was addressed to gen. Bernard, of Washington, the last to a gentleman in New York.

Paris, Aug. 17, 1830.

How much I should wish to be with you, my dear general, to rejoice together in the result of this last glo-

rious and virtuous revolution. The people alone have achieved the whole, they had shown themselves as great in the victory, as daring and interpid during the struggle. Bodies of courageous mechanics were led by young students, and chiefly by pupils of the Polytechinique school, who were far more admirable than I could express. Our losses, during these three bloody days, have been great; those of our adversaries have been considerable. No sooner was a regiment engaged in the streets to carry off the barricades, than new ones were thrown up in their rear. The attacks on the Louvre, Tuilleries, and Hotel de Ville, were made with incredible valor. Levasseur was severely wounded, but we shall save him. I was, on the morning of the third day, established in the Hotel de Ville which had been taken and retaken; and the tricolored flag was waving over our heads. The king having halted at Rambouillet with ten or twelve thousand men, I ordered from fifteen to twenty thousand Parisians to march against him: the enemy retreated. Afterwards, the count d'Artois and family reached the port of embarkation, under the escort of our commissaries, without receiving the least insult during their journey through the French territory.

The national guard is organizing throughout France. The king we have elected is patriotic and popular. I would not say, as has been reported, that this is the best of republics, but I do say that it is a very republican monarchy, susceptible of improvement.

Adieu, my dear general. I love you and embrace you with all my heart. LAFAYETTE.

—

"We might have declared a pure republic; but not without a great division of opinion, nor without danger, both internal and external. And therelore the republicans generously preferred uniting themselves to the moderate monarchists, (perhaps the majority of the nation) on condition, that it should be a *republican* monarchy. The duke Orleans was chosen by the chamber of deputies in the name of the people, who seem well satisfied; and having recognized the principle that he derives his title from the will of the people, Louis Philip re-ascends a popular throne.

"I did not say, as some newspapers related it, 'that this was the best of republics.' I declared, on the contrary, my doctrines, which are of the American school; but I perceive, that, under all the circumstances, this was the best thing to be done; and from what I have since seen of the new king and his family, I am confirmed in the opinion that we have done right.

"We have now entered a progressive career of legislation, which will lead to a very liberal state of things.

"Thus the cause of the people—the liberty of Europe—has made in three days an immense stride, and this new revolution has sustained a character for disinterestedness, grandeur of soul, and generosity, which places what are called the lowest orders of the people in the first rank of French society. France is now her own sovereign, and every day confirms her title.

LAFAYETTE."

LETTER FROM JOSEPH BONAPARTE,

To an officer formerly serving in the republican and imperial armies in France.

POINT BREEZE, 14th Sept. 1830.

SIR—I received the letter by which you offer to accompany me to Europe, should circumstances call me there. Duty alone can induce me to quit this country. My device, like that of my brother Napoleon, is *all for the French people.* I, therelore, do not consider myself bound by any thing but duty towards the nation. I have no right to exercise, either my own name or that of my nephew. Government is a want of the people; to be created or destroyed by them according to its usefulness: And I am resigned to conform to the national will, lawfully expressed. You know that three millions five hundred thousand suffrages called my family to the empire, at a time when foreigners had no influence in France. You may well suppose that I cannot, without pusillanimity, fail to recollect, that my nephew, the son of my brother, was proclaimed by the deputies in 1815; that my brother, the emperor, abdicated on that condition alone; that nothing but foreign bayonets, on two occasions, restored the Bourbons and protected the execution of so many illustrious defenders of their country.

I should have set off already if I did not see among the national names of the members of the provisional government, that of a prince with which mine never can have any thing in common, being satisfied that any Bourbon, whatever may be the branch to which he belongs, cannot suit my country. I have often told you that the only family in France, which the nation will not choose and cannot like, is that of the Bourbons. If that family loved France and was aware of the eternal divorce between them, it would have long ago renounced the throne. That divorce had been sealed by blood enough, both French and foreign, during twenty-five years, without any necessity of exposing the family to be the cause of shedding the blood of the citizens of Paris, under the mercenary steel of Swiss.

The great trial of the revolution is not yet determined. The emperor Napoleon thought that blood enough had been spilt in the interior of France and wished to close every wound. He threw the country open to all those whom he deemed as tired of civil war as he was; adjourning the complete freedom of the nation till a general peace, when he should no longer need immense dictatorial power, with which to make head against the united forces of Europe, incessantly excited by the rivalry of England, and the oligarchy of its ministry.

He wished to put an end to the revolution, and offered himself as mediator in France, as moderator in Europe. England constrained him by the wars she perpetually raised, to those conquests which she denounced as excesses, though she alone was answerable for them; and concluded by crushing in France all the fruits of thirty years of heroism and victory, by imposing the family of the good old times on a regenerated nation.

As long as there is any question in France of a branch of that family, I will stay where I am. My family never desired civil war, and does not now. Should the nation declare for a republic, you know my sentiments. They are of long standing. Happy the people among whom I might make this application without danger. You remember what I often said to the Spaniards—'You will never have as much liberty as I should like to give you: But you must be able to bear it; time is a necessary element in every thing.'

Assurances are given that our youth have made great progress towards republican opinions. Doubtless government is a remedy for an evil. Happy the country wise enough to do without it. We perceive scarcely any traces of it in the happy country where we have so long resided. But is that a state suitable to France? It is not the irritation caused by the absurd pretensions of the government that has weighed it down for fifteen years, which has roused that generous youth beyond perhaps what suit the rest of their fellow-citizens at present, and the tranquility of France and Europe?

A third hypothesis remains; that of my being called upon by honor, by duty, by what I owe to France emancipated, and to Napoleon the second, to the son of a brother whom I ought to love and respect more than any other person whatever, because I knew him from infancy better than any one else, and I am sure of the sincerity of his feelings and opinions. When dying on the rock of St. Helena, he charged me through gen. Bertrand's pen, to let his son govern himself by my advice; never, above all, to let him forget that he is a Frenchman; to let him give France as much liberty as his father gave her equality; and let him adopt for his device, *all for the French people.*

I have positive assurances that Napoleon the second, in spite of fortune, is as good a Frenchman as you or I, and will be worthy of his father and of France. I am your affectionate

JOSEPH NAPOLEON BONAPARTE,
(Count of Survilliers.)

TREATY AT GREEN BAY.

The commissioners, Messrs Root, M'Call, and Mason, returned from Green bay to this city in the steam boat Henry Clay, on the 17th inst. They met there in council, the chiefs of the Mannomonee and Winnebago tribes.

We understand the commissioners were instructed by the president, "that he deemed it proper to waive any decision upon the question of the validity of the compacts of 1821 and 1822." They were, therefore, directed to endeavor to reconcile the contesting parties, and to induce them to a compromise on principles of equity.

By the compact of 1821, the Mannomonees and Winnebagoes granted to the New York Indians a tract extending from the Little Butte des Morts, north to the grand Kan-ka-nn, and including the land embraced by lines drawn east and west through those two points to the limit of the country claimed by the grantors, which had never been ascertained. As a consideration the nations received $3,950 in goods. This compact was signed by the parties, and ratified by the president, and we believe no question has been raised in regard to it since.

By the compact of 1822, the two nations ceded in addition, all the country lying between Green bay and lake Michigan, north of the east and west line drawn in 1821, through the Little Butte des Morts, and the whole extent of their claim west of Green bay; in short their whole country. This compact Mr. Monroe confirmed only in part; withholding his assent to the cession of the tract west of Green bay. The New York Indians have heretofore demanded the exact and literal fulfilment of this compact. The nations, on the other hand, say their chiefs were not present, neither were the treaties signed for them, with their authority or consent; they were requested in 1821 and they agreed, to let the New York Indians "sit down upon and cultivate the land" we have above designated.

In this position of the case, without enquiring into the propriety of Mr. Monroe's act, confirming in part only, this last compact, it was obviously the dictate of humanity, that the United States should endeavor to relieve the two nations from provisions, which stripped them of their whole land, and to which they could not be supposed to have understandingly assented. At the same time, it was equally incumbent, to make good past promises to the New York tribes.

The accomplishment of both these objects was the design of the present commission. When the council were assembled, the New York Indians presented their claim for a tract of 770,000 acres, or 323 acres for each soul. The two nations offered a tract of 144,000 acres, which did not include, however, any part of the improvements by the New York tribes.

The commissioners proposed to both parties, the one to grant, the other to accept, a tract of 301,000 acres, including the improvements, and a portion of the country ceded in the year 1822.

These several offers and propositions were rejected. Neither party of the Indians would agree to the terms of the other, or to those of the commissioners.

The report of the commissioners will, we suppose, recommend an adherence to the plan projected by them at the bay. We do not see how it can be made the basis of any executive or legislative action. Meanwhile the feeling of opposition, if not hostility, between the two parties, is deepened and confirmed. [*Detroit Jour.*

CONGRESS OF PHILOSOPHERS.

Account of the great congress of philosophers at Berlin on the 18th of September, 1828. From the Edinburg Journal of Science.

The existence of a large society of cultivators of the natural sciences meeting annually at some great capital or some central town of Europe, is a circumstance almost unknown to us and deserving of our attention from the important advantages which may arise from it.

About eight years ago, Dr. Okens, of Munich, suggested a plan for an annual meeting of all Germans who cultivated the sciences of medicine and botany.—The first meeting, of about forty members, took place at Leipsig in 1822, and it was successively held at Halle, Wurtsburg, Frankfort on the Maine, Dresden Mune, Dresden, Munich and Berlin. All those who had printed a certain number of sheets of their inquiries were considered as members of this academy.

The great advantages which resulted to the sciences from the communication of observations from all quarters of Germany, soon induced an extension of the plan, and other departments of natural knowledge were admitted, until at the last meeting the cultivators even of pure mathematics were found in the ranks of this academy. Several circumstances independent of the form and constitution of the academy, contributed to give unwonted splendor at the meeting which took place at Berlin in the middle of September of the last year. The capital selected for its temporary residence, is scarcely surpassed by any in Europe in the number and celebrity of its savans. The taste for knowledge possessed by the reigning family, has made knowledge itself fashionable; and the severe sufferings of the Prussians, previous to the war which freed both them and Europe, have impressed on them so strongly the lesson that "knowledge is power," that its effects are visible in every department of the government, and in no country of Europe, do talents and genius so surely open for their possessors the road to wealth and to distinction.

Another circumstance continued to increase the numbers of the meeting of the past year. The office of president, which is annually changed, was assigned to M. Alexander de Humboldt, The universality of his acquirements which have left no branch within the wide range of science indifferent or unexplored, has connected him by friendship with almost all the most celebrated philosophers of the age, while the polished amenity of his manners and his intense desire of acquiring and spreading knowledge, render him accessible to strangers and insure them the assistance of his counsel in their scientific pursuits and the advantage being made known to all who are interested or occupied in similar inquiries.

Professor Lichtenstein, (director of the Museum of Zoology,) as secretary of the academy, was indefatigable in his attentions and most ably seconded the wishes of its distinguished president. These two gentlemen, assisted by several of the residents at Berlin, undertook the numerous preliminary arrangements for the accommodation of the meeting.

On the 18th of Sept. 1828, there were assembled at Berlin 377 members of the academy, whose names and residence, (at Berlin,) were printed in a small phamphlet, and to each name was affixed a number to indicate his seat in the great concert room, where the morning meetings took place. Each member was provided with an engraved card of the hall of meeting, on which the numbers of the seats were printed in black ink, so that every person immediately found his own place and knew where to look for any friend whom he might wish to find.

At the hour appointed, the members being assembled, the galleries and orchestra filled by an assemblage of a large part of the rank and beauty of the capital, and the side boxes occupied by several branches of the royal family, and by the foreign ambassadors, the session of the academy was opened by the eloquent address of the president.

Speech of baron Humbolt.—"Since through your choice I am permitted to open this meeting, the first duty I have to discharge is one of gratitude. The distinction which has been conferred on him who has never yet been able to attend your excellent society, is not the reward of scientific efforts, or of feeble and persevering attempts to discover new phenomena, or to draw the light of knowledge from the unexplored depths of nature.—A finer feeling directs your attention to me. You have assured me that while during an absence of many years in a distant quarter of the globe, I labored in the same cause with yourselves, I was not a stranger in your thoughts.

What can the picture of this our native land present more agreeable to the mind than that we perceive to-day, for the first time, within our walls? From the banks of the Neckar, the birth-place of Kepler and Seiller, to the remotest border of the Baltic plains;—from hence to the north of the Rhine, where, under the benefic nt influence of commerce, the treasures of exotic nature have for centuries been collected and investigated, the friends of nature, inspired by the same zeal, flock together to this assembly; from all lands where the German language is used, and its peculiar structure effects the spirit of the people, from the Great European Alps to the other side of the Weischel, where, in the country of Copernicus, astronomy rose in renewed splendour; wherever in the extensive dominions of the German na-

tion, we attempt to discover the secret operations of nature, whether in the heavens or in the deepest problems of mechanics, or in the interior of the earth, or in the finely woven tissues of organic structure.

Protected by noble princes, this assembly has annually increased in interest and extent. Every distinction which difference of religion or of government can occasion, is here annulled. Germany manifests itself in its intellectual unity; and since knowledge of truth and performance of duty are the highest objects of morality, that feeling of unity weakens none of the bonds which the religion, constitution and laws of our country endear to each of us. This emulation in mental struggles has even called forth, as the glorious history of our country tells us, the fairest blossoms of humanity, science and art.

The assembly of German naturalists and natural philosophers, since its last meeting, when it was so hospitably received at Munich, has through the flattering interests of neighboring states and academies shone with peculiar lustre. Allied nations have renewed the ancient alliance between Germany and the Scandinavian North. Such an interest deserves acknowledgment the more, because it increases the mass of facts and opinions here brought into one common union. It also brings lotty recollections to the mind of the naturalist. Scarce half a century has elapsed since Linne appeared, in the boldness of the undertakings which he has attempted and accomplished, as one of the greatest men of the last century. His glory, however bright, has not rendered Europe blind to the merits of Scheele and Bergman. The catalogue of great names is not completed; but, lest I should offend noble modesty, I dare not speak of the light still flowing in richest profusion from the north, nor mention the discoveries in the chemical nature of substances, in the numerical relation of their elements, or the eddying streams of electro-magnetic powers.* May those excellent persons who, deterred neither by perils of sea or land, have hastened to our meeting from Sweden, Norway, Denmark, Holland, England, and Poland, point out the way to other strangers in succeeding years, so that by turns every part of Germany may enjoy the benefits of scientific communication with the different nations of Europe.

But though I restrain the expression of my personal feelings in presence of the assembly, let me at least name the patriarchs of our national glory detained from us by a regard for lives so dear to our country:—Goethe, whom the creations of poetic fancy have not withheld from penetrating the secrets of nature, and who now in rural solitude mourns for his princely friend, as Germany for one of her greatest ornaments; Olbers, who has discovered two bodies where he predicted they would be found; the greatest anatomist of our age, Soemmering, who with equal zeal has investigated the wonders of organic structure and the spots and *feculae* of the sun, (condensations and openings of the photospheres,)—Blumenbach, whose pupil I have the honor to be, whose works and immortal eloquence and labors of half a century have inspired every where a love of comparative anatomy, physiology, and the general history of nature.

*These observations on the literary wealth of our country, and the progressive developement of our institution, lead us naturally to the observations which may arise from the increasing number of our fellow laborers. The principal object of this society is not the mutual interchange of treaties, or the publication of innumerable memoirs in some general collection, but it is to bring those personally together who are engaged in the same field of science. It is the immediate and, therefore, more obvious interchange of ideas, whether presented as facts, opinions or doubts. It is the establishment of friendly connection, which throws light on science, adds cheerfulness to life, and gives grace and amenity to the manners.

In the most flourishing period of ancient Greece, the distinction between words and writing manifested itself most strongly among a race which had raised itself to the most splendid intellectual superiority, and to whose latest descendents, preserved from the shipwreck of nations, we still consecrate our most anxious wishes. It was not the difficulty of interchanging ideas alone, nor the want of German science which has spread thought as on wings through the world, and given it permanence, that lead the friends of philosophy and natural history in Magna Grecia and Asia Minor, to wander on long journeys. That ancient race knew the inspiring influence of conversation, as it extemporaneously penetrates the tissue of scientific opinions and doubts. The discovery of truth without difference of opinion is unattainable, for truth in its full extent can never be recognised by all and at the same time. Each step that brings the student of nature, nearer to his object, conducts him to the threshhold of new labyrinths. The mass of doubt does not diminish, but spreads like a moving cloud over new fields, and whoever calls that a golden period when the disputes of the learned will be finished, has as imperfect conception of the wants of science, as he who expects that the same opinions in geognosy, chemistry, or physiology will be maintained for centuries.

The founders of this society, with a deep sense of the unity of nature, have combined in the completest manner, all the branches of physical knowledge and of historical, geometrical and experimental philosophy. The names of natural historian and natural philosopher are here, therefore, nearly synonymous, chained by a terrestrial link of the type of the lower animals. Man completes the scale of higher organization. In his physiological and pathological qualities, he scarcely presents to us a distinct class of beings. As to what has brought him to this exalted object of physical study, and raised him to general scientific investigation, it belongs principally to this society. Important as it is not to break that link which connects the investigation of organic and morganic nature, the increasing ties and daily developement of this institution, render it necessary, besides the general meeting destined for these halls, to have specific meetings for single branches of science. For it is only in such contracted circles, and among men whom reciprocity of studies has brought together, that oral discussions can take place. Without these, would the voluntary associations of men in search of truth, be deprived of an inspiring principle.

Among the arrangements for the advancement of the society, attention has been paid to the possibility of such a subdivision into sections. The hope that these arrangements will meet with your approbation, imposes the duty of remmding you, that, although you had entrusted to two travellers equally the duty of making them, it is to one alone, my noble friend, M. Lichtenstein, that the merit of careful precaution and indefatigable activity is due. Out of respect to the scientific spirit which animates the Society of German Naturalists and Natural Philosophy, and in acknowledgment of the utility of their efforts, the government has readily seconed our wishes.

In the vicinity of the place of meeting thus prepared for our general and special labors are situated the museums of anatomy, zoology, orycteognosy and geology, offering to the naturalist a rich mine for observation and critical discussion. The greater number of these collections have existed, like the university of Berlin, scarcely twenty years. The oldest of them, to which the botanical garden, the richest one in Europe, belongs, have durmg this period not only been mcreased, but entirely remodelled. The amusement and instruction they furnish recall to our grateful mmds that they are the works of that great monarch who modestly and in simple grandeur adorns every year this city with new treasures of nature and art—and what is of still greater value—what inspires every Prussian with an enthusiastic love for the ancient reigning family, he attaches to himself every species of talent, and extends with confidence his royal protection to the free cultivation of the understanding."

Baron Humboldt's speech was followed by a paper on magnetism, by professor Oersted, and several other memoirs were then read.

The arrival of so many persons of similar pursuit, (for 464 members were present) rendered it convenient to have some ordinary at which those who choose might dine, and introduce their friends and families. This had been foreseen, and his majesty had allowed the immense building used for the exercise of his troops to be used for this purpose. One third of it was floored on the occasion, and tables were arranged, at which, on one occasion,

*Berzelius and Oersted.

850 persons sat down to dinner. On the evening of the first day, M. de Humboldt gave a *soiree* in the concert rooms attached to the theatre. About 1,200 persons assembled on this occasion, and the king of Prussia honored with his presence the *fete* of his illustious chamberlain. The nobility of the country, foreign princes, and foreign ambassadors were present. It was gratifying to observe the princes of the blood mingled with the cultivators of science, and to see the heir apparent to the throne engaged in conversation with those most celebrated for talents of his own or other countries. Nor were the minor arrangements of the evening beneath the consideration of the president. The words of the music, selected for the concert, were printed and distributed among the guests. The names of the most illustrious philosophers which Germany had produced, were inscribed in letters of gold at the end of the great concert room. In the first rank among these, stood a name which England too enrols among her brightest, and proud as she may well be of having fostered and brought to maturity the genius of the first Herschel, she has reaped an ample reward in being able to claim entirely as her own the inheritor of his talents and his name.

The six succeeding days were occupied in the morning, by a meeting of the academy at which papers of great interest were read. In the afternoon, through the arrangement of M. de Humboldt and M. Lichtenstein, various rooms were appropriated for different sections of the academy. In one the chemical philosophers attended to some chemical memoir, whilst the botanists assembled in another room, the physiologists in a third, and the natural philosophers in a fourth. Each attended to the reading of papers connected with their several sciences. Thus every member was at liberty to choose that section in which he felt most interest at the moment, and had at all times access to the others. The evenings were generally spent at the *soirees* of the *savans*, resident at Berlin, whose hospitality and attentions to their learned brethren of other countries were unbounded. In the morning the collections of natural history, which are rapidly rising into importance, were open to examination, and the various professors and directors assisted the stranger in his enquiries.

A map of Europe was printed, on which those towns only appeared which had sent representatives from this scientific congress; and the numbers sent by different kingdoms appeared by the following table, which was attached to it:

Russia	1	Bavaria	12
Austria	0	Hanover	5
England	1	Saxony	21
Holland	2	Wirtemberg	12
Denmark	7	Sweden	13
France	1	Naples	1
Sardinia	0	Poland	3
Prussia	95	German states	43
			206
		Berlin	172
		Total	378

The proportion in which the cultivators of different sciences appeared, was not easy to ascertain, because there were few among the more eminent who had not added to more than one branch of human knowledge. The following table, though not professing to be very accurate, will afford, perhaps, a tolerably fair view:—Geometers, 1; astronomers, 5; natural philosophers, 23—in all 39. Mines, 5; mineralogy, 14; geology, 9—in all 30. Chemistry, 18; geography, 8; anatomy, 12. Zoology, 14; natural history, 8; and botany, 35—in all 57. Physicians, 175. Amateurs, 9. Various, 33. Grand total, 381.

A medal was struck in commemoration of this meeting; and it was proposed that it should form the first of a series, comprising all those persons most celebrated for their discoveries in the past and present age.

CHINA.

The following interesting particulars respecting the Chinese, are from the testimony given before the committee of the British parliament on the affairs of the East India company, by Mr. Crawford, the author of three or four very valuable works on the Indo-Chinese territories.

"The Chinese are not only intellectually, but physically, superior to the nations and tribes among whom they settle. A Chinese is at least two inches taller than a Siamese, and by three inches taller than a Cochin Chinese, a Maalay, or a Javanese, and his frame is proportionally strong and well built. Their superiority in personal skill, dexterity and ingenuity are still greater. All this is evinced in a very satisfactory manner, by the simple criterion of the comparative rates of wages of the different classes of inhabitants or sojourners at any given place where they all meet. At Sincapore, for example, the wages of ordinary labor for the different classes of laborers are as follows:—a Chinese, eight dollars a month, a native of the Coromandel coast, six dollars; and a Maylay, four; making the work of the Chinese by one third better than that of the first, and by 100 per cent. better than that of the second. When skill and dexterity are implied, the difference is of course wider; a Chinese house carpenter will earn 12 dollars a month; while an Indian will earn no more than seven, and a Malayan thatcher or wood cutter, for among this class there are no carpenters, but five. The different classes of Chinese settlers not only live apart, and keep distinct from the settlers of other nations, but also from each other.—There is a very wide difference between the character, habits and manners of the Chinese settlers, according to the parts of China from which they proceed. The natives of Fokein have a claim to a higher tone of character than any of the rest. Among the emigrants from the province of Canton there are three classes, viz. those from the town of Canton and its neighborhood; the natives of Macao and other islands in the river; and the natives of some mountainous districts of the same province. The first of these, besides, being addicted to mercantile pursuits, are the best artizans, and are much disposed to enter into mining speculations. It is they who are chiefly engaged in working the silver mines of Tonquin, the gold mines of Borneo, and the Maylay peninsula, and the tin mines of the latter country and of Banca.

The Chinese of Macao and the other islands are held in very little repute among the rest of their countrymen; but the third class, who are numerous, are the lowest in rank. Their most frequent employment is that of fishermen and marines; and it is from among their ranks that European shipping, when in want, have occasionally received hands to assist in their navigation. Of all the Chinese these are the most noisy and unruly. There is still another class of Chinese, the settlers in the Burman dominions, who differ very remarkably from all that I have just enumerated. With the exception of a small number of emigrants from the province of Canton, who find their way to Ava by sea, these are all from the province of Yunan, and in point of industry and intelligence seemed, as far as I could judge, much inferior to the colonists from Canton Fokein. From all these again, the mixed races are to be distinguished by their superior knowledge of the language, manners and customs of the countries in which they reside, and by some inferiority in industry and enterprise. It is from this class that European merchants are supplied with brokers, money-counters, &c. and they are seldom to be seen in the condition of day laborers or artizans. The Chinese settlers, of whatever class, engage with much eagerness in agricultural employments, seldom, however, when they can avoid it as mere day laborers. They conduct almost exclusively the cultivation and manufacture of the catechu or terra Japonica in the Straits of Malacca, the pepper cultivation of Siam, and the culture of the cane and manufacture of sugar in Java, Siam and the Philippines. Differing materially from each other in manners, habits, and almost in language or dialect, and entertaining towards each other provincial prejudices and antipathies, broils and quarrels, sometimes even attended with bloodshed, frequently break out among them. These are occasional subjects of embarrassment in the European settlements, the authorities of which have never, I am persuaded, any thing to apprehend from their combination or resistance; and I may add, that of all the Asiatic settlers in our eastern settlements, the Chinese are the most obedient to the laws, and notwithstanding the superior amount of their property, and even of their numbers, afford the least employment to the court of justice.

NILES' WEEKLY REGISTER.

FOURTH SERIES. No. 9—VOL. III.] BALTIMORE, OCT. 23, 1830. [VOL. XXXIX. WHOLE No. 997.

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES & SON, AT $5 PER ANNUM, PAYABLE IN ADVANCE.

☞The usual attention to many matters requiring his personal services, has not been given for the last two or three weeks, because of the absence of the senior editor from home, and the pressure of business incidental to a relaxation from labor at the desk; but in a few days, all things will be squared up—the excursion to the great fair at New York having much encouraged him to increase his industry and zeal in support of those leading interests of the people which he has endeavored to promote from the days of his youth to the present time—uncontroled by the vacillations of party, or any sort of political twisting or turning whatever.

The qualified partnership existing between himself and his son ceases this day. It has so happened, that the editorial business of this work could not be well divided, and the son has purchased the "FREDERICK HERALD," published in the city of Frederick, Maryland—an old and very respectable establishment, the good character of which, it is hoped, will not be depreciated under his care. Indeed, it may become an useful auxiliary in the great cause of domestic industry *versus* foreign labor; and the senior editor of the REGISTER will feel thankful to his generous friends throughout the union for any support which they may give to his son in the new business that he has undertaken. A little encouragement, at the starting point, may be permanently important to him, and stimulate him to persevere in maintaining those great principles which he has been taught from his childhood. Address, *William Ogden Niles, Frederick, Maryland.* The "Herald" is a weekly paper, at two dollars per annum—and, by the handsome increase of its subscription list, has become a valuable advertising medium.

☞We have waded through a mass of matter to furnish our readers with the intelligence which has reached us as to the result of the late elections in New Jersey, Pennsylvania, Ohio and Georgia—presenting the facts as they appear, so far as they go. We do not vouch for the accuracy of the statements. There is too often an indisposition to acknowledge the truth, promptly—and in Pennsylvania, (and partially also in Ohio), it is not easy to determine the precise *political* character of all the persons that were before the people as candidates. But we shall soon be enabled better to understand these things, and will endeavor to present them in an intelligible shape, for reference; with such explanations and comparative views as we shall deem interesting.

AMERICAN INSTITUTE AT NEW YORK. An invited guest at the fair of the Institute, the senior editor of the REGISTER was uncommonly gratified in witnessing the astonishing progress and improvement in manufactures thereat exhibited. About 300 different classes, or descriptions, of arucles were presented to the public inspection—some of them of the very first, or finest, character for beauty or splendor, and others not less distinguished for utility and cheapness. Though the weather was wet and boisterous during nearly all the time of the fair, very many thousands of persons attended, and rejoiced in the success of the "American system." We think that a great public good will result from this display—for few, even if generally well informed individuals, have had a correct idea of the power of our country to supply its own wants, or of the excellency of the labor performed in our own factories and shops, with the amount of comfort which employment in them extends to hundreds of thousands of free and worthy people. We shall have a good deal to say about what we saw and heard, after the catalogue reaches us, and a copy of Mr. Burgess' oration shall be laid before our readers, as pronounced by him on the evening of the 14th inst. in the presence of a very numerous gathering of the people. Mr. Burgess is the learned and distinguished member of congress from the the state of Rhode Island, and fulfilled the highest expectations of the institute, by whom he was invited to this duty. Speaking of his address the "Commercial Advertiser" well observes—

"Its argument was the difference of the destiny which awaits nations who owe their prosperity to rapine and encroachments on the wealth of others, and those who depend on the labor of their own people. He referred to the perished empires of antiquity, which originally rose to power, and attained their domineering attitude by one and the same course of spoliation; until bloated and unwieldy, and with no sound resources in the patient and habitual industry of their own proper citizens, they fell apart and left no vestiges of their pride, but mouldering ruins and the memory of their tyranny. He traced the operation of the same spirit of plunder, in the rise and history of the nations of modern time, exemplified what have been its effects, and pointed out what its tendency is and must be. He contrasted with this historical picture, the condition of a people living upon the resources of their own soil and territory, and their own industry, fairly exchanging their own products for articles demanded by their wants or caprices; and not dependent, under any contingency, on the chances of spoliation. He contended that a nation, resting on this broad basis, could not, in the ordinary course of human events, share the fate of empires which have fallen; or, having in their system the elements of decay, may be said to "totter to their fall." His illustrations were apt, and forcibly introduced. We have few more eloquent public speakers, so far as manner is concerned, than this senator. Those who were fortunate enough to be present, enjoyed a rich intellectual entertainment on this occasion."

In the present hurried state of our business, we cannot go into particulars of this fair, just now, but may express our decided belief that it made many converts to our system, and must have had a powerful tendency to arrest the current of opinion in favor of that of Great Britain—not applied at home, but, like her log-wood-dyed cloths, exported for use in foreign countries, and especially supported by her agents and their hirelings in the United States.

MASSACHUSETTS. John Quincy Adams, late president of the United States, has been nominated by a convention to represent the Plymouth district in congress, and it is said that he will not decline the nomination—Mr. Richardson, the present member, wishing to retire.

Nathan Appleton and Henry Lee are opposing candidates at Boston—the first a friend of the "American System," the latter to what is termed "free trade."

VERMONT. The legislature of this state met at Montpelier last week, and the votes for governor being counted, were as follows:

For Sam'l C. Crafts, ("national republican,")	13,476
William A. Palmer, (anti-masonic,)	10,923
Ezra Meech, (Jackson,)	6,285
Scattering,	37

No one having a majority of the whole number of votes, the choice devolved on the legislature, and Mr. Crafts was chosen.

NEW JERSEY. The election for members of the legislature of this state was held last week, and resulted, like the last, in the choice of a majority favorable to the present administration; for which, various causes are assigned in local circumstances, &c. about which we know nothing.

The New Brunswick "Fredonian" of the 20th inst. gives the following estimate of the result of the election, stating, however, that local or sectional feelings had more to do with it, in many cases, than political preferences.

	Anti-Jackson.		*Jackson.*	
	C.	A.	C.	A.
Bergen,	0	1	1	2
Essex,	1	4	0	1
Morris,	0	0	1	4
Sussex,	0	0	1	3
Warren,	0	0	1	3
Hunterdon,	0	0	1	5
Somerset,	0	0	1	3
Middlesex,	1	3	0	0
Monmouth,	1	0	0	3
Burlington,	0	3	1	2
Gloucester,	0	3	1	1
*Salem,	0	0	1	3
Cumberland,	1	2	0	1
Cape May,	1	1	0	0
	5	17	9	31

Jackson majority on joint-ballot, 20. Last year it was 29.

PENNSYLVANIA. The general election was held in this state on Tuesday the 12th instant. The following are the results of the votes given for members of congress, so far as they have reached us:

Mr. Sutherland has been re-elected—for him 2,116 votes; for Mr. Simpson 1,095.

Mr. Horn has been elected for the city of Philadelphia, proper, in the place of Mr. Hemphill, who declined a poll. For Mr. Horn 2,832—Mr. Coxe 2,260.

Mr. *Watmough* has been elected in the place of Mr. Miller—For Mr. W. 4,524—Mr. Miller 3,662.†

[These three members are from the city and county of Philadelphia.]

Robert Allison has beaten Mr. Scott, the present member.

Mr. King has been re-elected.

Mr. Stewart, lately a member, has beaten Mr. Irwin, the present member, by a majority of 508 votes.

Mr. Denny and Mr. Gilmore, have been re-elected. The former by a large, and the latter by a lean majority. There were more than two sets of candidates in this district.

Mr. *McKennan* has been elected in the place of Mr. McCreery, by a majority of 165 votes.

Mr. Coulter has been re-elected.

Messrs. Crawford and Ramsay have been re-elected.

Messrs. Ihrie and Smith, called the "anti-Ingham candidates," have been elected for the district of Bucks, &c. over the "regularly nominated Jackson candidates."

Messrs. Muhlenberg and King have been elected from the district of Berks, &c.

Mr. Bucher is chosen in the Harrisburg district.

Mr. *Mann* is elected in the district of Bedford, &c.

Messrs. *Heister*, *Potts*, and Evans have been elected from the district composed of Lancaster, Chester and Delaware.

Anti-masonry, though powerful, does not seem to have produced so great an effect in this state as was anticipated. Some particulars hereafter.

Those printed in *Italics* are reported as being anti-Jackson.

Speaking of the legislature, the Philadelphia "Sentinel," says—

"We think we may now venture to assure our friends abroad, that the place of *William Marks* in the United States senate, will be filled next winter by a *Jackson democrat*."

DELAWARE.—The Delaware Journal states that the next legislature will be composed: senate, 7 republicans; 2 Jackson. House of representatives, 17 republicans; 4 Jackson.

BALTIMORE. The election for mayor of this city took place on Monday last, and resulted as follows:

Wards.	*Small's ticket.*	*Barry's ticket.*
1	249	249
2	331	486
3	563	482
4	465	455
5	307	255
6	361	187
7	348	108
8	306	290
9	415	118
10	488	276
11	465	297
12	546	621
Total,	4844	3824

Colonel Small's majority over col. Barry is 1020.

A great effort was made, on the part of some, to decide this election on party grounds, only—but we are glad that a majority of the people rejected and put down the project, and re-elected a zealous and efficient officer by so handsome a vote. Many changes have taken place in the city council—a large majority of them "for the better."

VIRGINIA. The election of members of the legislature of this state is going on. It would appear that the central power at Richmond has lost much of its influence, so far as we understand the returns that are before us.

OHIO. The general election for governor, members of congress, and of the state legislature, took place in Ohio on Tuesday the 12th inst. The returns are yet incomplete, but the following results are reported:

For members of congress.

Messrs. *Vance* and *Vinton*, have been re-elected without opposition.

Mr. *Corwin* has been elected over Mr. Shields, (present member), by a majority of 600 or 700 votes.

Mr. *Stanberry*, after a violent opposition, has been re-elected by a large majority over Mr. McLean.

Mr. Irwin has been re-elected without opposition.

Mr. *Creighton* is re-elected.

Mr. Kennon, warmly supported by friends of Mr. Clay, has been re-elected, by a large majority, over the "regularly nominated Jackson candidate."

Mr. *Crane* has been re-elected.

Mr. Thompson is said to be re-elected.

Mr. Russel is re-elected.

Mr. Findlay has been re-elected, from the Cincinatti district, by a small majority over Mr. *Benham*. Mr. F's majority is said to be 1200 less than at the last election. The city gave a majority against him on the present occasion.

It would appear that gen. McArthur (anti-Jackson) has been elected governor of the state of Ohio, by a considerable majority over gen. Lucas—and that the friends of Mr. Clay will have a decided ascendancy in the legislature. The changes, so far as we note them, are altogether in their favor. In Hamilton county, in which Cincinatti is located, the "Jackson candidate" for governor, at the last election, had a majority of 1560 votes—now the majority is on the other side, shewing a comparative gain of nearly 2000.

SOUTH CAROLINA. The Charleston City Gazette, of the 15th instant, under the head of "nullification scientifically nullified," says—

The *union party* have triumphantly elected *eleven* out of *sixteen* of the candidates chosen to represent them in the next legislature of South Carolina. So far for our *men*:—our *measures* have been even yet more triumphant; *thirteen* of the elect, being decidedly against convention, nullification and secession; and of the three whom we do not claim, *one* only a *nullifier*. Our friends have done nobly—the Neck "came out in style," and to its unbiassed and unbought suffrages, we are chiefly indebted for our success. By the polls it will be seen, that even our unsuccessful candidates have received a handsome and liberal support.

GEORGIA. It is probable that Messrs. Wilde, Lamar, Lumpkin, Wayne, Foster and Thompson have been re-

* In Salem two tickets, both avowedly Jackson, were run. The *regular* ticket was defeated.

†The contest in this district was excessively violent. At one of the polling places, the election was closed an hour before its time because of a riot.

elected to congress from this state, and that Mr. Daniel Newman has beaten Mr. Hayne. The choice is made by a general ticket. There were several other candidates who received very respectable polls.

Appointments by the president. *William Claggett*, to be naval officer at Portsmouth, N. H. vice Elijah Hall, deceased.

Joseph Friend, to be receiver of public moneys for the district of lands subject to sale at Ouachita, in the state of Louisiana, vice Henry Bry, removed.

Elijah Hayward, one of the judges of the supreme court of Ohio, to be commissioner of the general land office.

William Findlay, of Pa. to be treasurer of the mint of the United States.

Alexander Hamilton, on the American system. The following extract from the 11th number of the "Federalist," written by Alexander Hamilton, will shew that the idea of an *American System* is not of recent origin. In becoming the modern champion of such a system, Mr. Clay is only following up the early doctrines of the republic, and treading in the footsteps of Madison, Hamilton, and other fathers and expounders of the constitution.

[*National Intelligencer.*

"The world may politically, as well as geographically, be divided into four parts, each having a distinct set of interests unhappily for the other three; Europe, by her arms and by her negotiations, by force and by fraud, has in different degrees extended her dominion over them all. Africa, Asia, and America, have successively felt her domination. The superiority she has long maintained, has tempted her to plume herself as the mistress of the world, and to consider the rest of mankind as created for her benefit. * * * * Facts have too long supported these arrogant pretensions of the European. It belongs to us to vindicate the honor of the human race, and to teach that assuming brother moderation. Union will enable us to do it: Disunion will add another victim to his triumphs. Let Americans disdain to be the instruments of European greatness! Let the thirteen states, bound together in a strict and indissoluble union, concur in erecting one great *American System*, superior to the control of all transatlantic force or influence, and able to dictate the terms of the connexion between the old and the new world."

Mechanic's association. At the annual dinner given by the Massachusetts Charitable Mechanic's association, in Boston, the mayor, who presided, after a few introductory remarks, proposed the following toast.

Baltimore, the city of enterprise, of rail-ways, and of Charles Carroll, the last survivor of the signers of the Declaration of Independence.

Mr. Shroeder, of Baltimore, an invited guest, replied to the compliment, and offered the following:

The New England states: the first to send the school master abroad. We daily reap the fruits of his labor.

The seventh regular toast was,

Our distinguished senator in congress—As true to the south and west as to the north; his love of country, like the atmosphere, covers the whole union.

A mind of noblest growth, deep fraught
With pure and patriotic thought;
Gifted to soar, and mark from high
Our country's foes with eagle eye;
Fair freedom's guardian, "himself a host"
New England's glory, and Columbia's boast.

This toast was loudly cheered in all parts of the hall. After the applause had subsided, Mr. Webster rose and addressed the association, thanking them for the compliment just conferred upon him, and for the flattering attentions which they had at all times bestowed upon him since he became a member of this community. He concluded a speech of considerable length, which was listened to with undivided attention, with the following sentiment.

Honesty and *industry*; the only sure foundation for the prosperity of *working-men*, whether in the field, the shops of the artificer, the compting-house, or the professions.

Improvement in cotton spinning. An ingenious mechanic in America, named Danforth, has invented a very simple improvement in spinning machinery, which appears to afford the means of producing the finest yarns without the great risk of breaking, to which yarns of the higher numbers have been much subject, when wound on the bobbin by the flyer as heretofore. The contrivance consists of a stationary spindle, from the top of which a circular polished rim is suspended instead of a flyer. The bobbin being made to revolve rapidly, spins or twists the yarn as it descends from the drawing rollers, and the slight friction of the yarn, as it goes round against the stationary polished rim, aided by the assistance of the atmosphere, produces that retardation which causes it to lap up or wind on to the bobbins. The invention is secured by patents in the different European states—that in England is in the name of John Hutchinson, esq. of Liverpool. A number of machines, constructed upon the above principle, have been for some weeks in successful operation in the factory of Messrs. Stirling & Becton, in Lower-Mosley street.

[*Manchester Courier.*

Mr. Danforth, the ingenious inventor of the machine here spoken of, was, previous to his departure for Europe, a resident in this town. It was here where he succeeded in bringing to perfection his ingenious and valuable improvement in cotton spinning, and we believe that the first spinning frame, constructed upon Mr. Danforth's plan, as also the one taken out by him to Europe, was manufactured in the establishment of Messrs. Godwin, Rogers & Co. of this place—who, together with the Messrs. Carricks, of this town, we understand, are joint owners with Mr. Danforth, of the patents taken out.—From experiments made in England, it is said, the improvement is equally adapted to machinery for spinning wool, flax and silk, as for cotton, and is likely to be extensively used there in each of those departments. If so, the proprietors of the patent will be enabled to realize an ample compensation for their liberal investments, from the disposal of their right to manufacturers in Great Britain and in this country. We learn from private intelligence, that large contracts have already been made, by manufacturers in England, for the right of constructing frames upon this plan, and upon terms very favorable to the patentees.

[*Paterson Intelligencer.*

Business and markets. *From the Rochester Daily Advertiser.* Our mills now make over 2,000 barrels flour per day, and can make 3,000, containing, with two more now building, 70 runs of stone—wheat abundant, at 94 to 96 cents, pouring in from 60 to 80 miles south and west; 200,000 bushels this year from Ohio, fair quality, also much pot and pearl ash and other produce. Within the last 20 days, we have sent $50,000, in cash, into Ohio for produce. This seems to be the natural market for cashing it, from southwestern New York, and the western lakes, destined for New York and Montreal, and it must inevitably be done here *almost wholly*, as this is the angle or turning point of water conveyance to both, with equal convenience of transport to and daily advices from each; giving the choice of a domestic or foreign market up to the *moment of shipment*. The *choice* enables us to pay the *highest price that either will justify*;—while a place turning only to *one*, can pay only what *this* will *warrant*.

Our wholesale trade has recently grown to be very extensive and fast increasing, reaching through our natural wheat region, and all along the western lakes, quite up to Detroit; and since the farmers of our interior have, by the two last good crops, and the lessons of prudence taught by the prior bad one, become freed from debt, and consequent dependence upon their neighboring retail shops, their cash taken here for wheat, comes back to us in due time, in support of a now rapidly extending trade.

Mechanics and day laborers find full employ; cash is plenty, dwelling houses filled, and more wanted. Some eastern families of respectability recently arrived, and intending to settle have passed on west, or returned back, for want of dwelling houses here for their accommodation; yet let it be noted, that no encouragement should, therefore, be derived for building small tenements as formerly; the dwellings now wanted are of the better sort,

worth from one hundred and fifty to two hundred dollars per year; and it is hoped none inferior to such will be erected; but there is no question that a dozen more of such dwellings well located, would pay a good interest. The village is full of people and increasing.

ILLINOIS LANDS. We have received an extra of the Illinois Intelligencer, containing a list of about eight thousand tracts of land upon which the taxes are due and unpaid, principally owned by non-residents. Should the taxes, interests and costs, remain unpaid, the lands described, or so much of such tract as will bring the amount of tax and costs, will be sold on the *first Monday in January*, 1831, at the auditor's office in Vandalia. The lands thus sold, can be redeemed at any time within two years, by paying into the treasury double the amount of the money for which they were sold.—Lands owned by heirs, at the time of sale, may be redeemed at any time before the expiration of one year, from the time the youngest of said heirs shall become of age.

CHOCTAW INDIANS. A treaty was concluded with the Choctaw tribe of Indians, on the 27th ult. by the secretary of war, and gen. Coffee, after a negotiation of thirteen days. About 5,000 Indians were in attendance. The terms are said to be as follows:

"The Choctaws cede the country they occupy, and within three years are to remove beyond the Mississippi. Those who choose to remain, take reservations, and after residing upon them five years are to possess them *in fee*. The country is to be surveyed at any time when the government please, but no sale is to take place previous to removal; until then, no person is to settle in the country.

SINGULAR CASE. *From the* (*Georgia*), *Southern Record.* A case of a rather singular kind has occurred in South Carolina, growing out of the power vested in its chief magistrates to commute the punishment of capital offence. A man named Jeremiah Smith, for a crime committed, was sentenced to death in 1821, but was pardoned by the governor on condition of his suffering an imprisonment, three months, and then leaving the state, never to return to it. After undergoing the imprisonment, Smith left South Carolina and settled in North Carolina, near the line of the two states. He was a blacksmith, and in 1826, the people of a neighborhood in South Corolina adjacent to that in which Smith lived in North Carolina, wanting one of his trade, induced this man by their persuasions, to move into their settlement, assuring him he would not be in any danger, and his good conduct since his conditional pardon would make his residence among them safe. It appears that he lived unmolested in South Carolina in 1826 and 1827, until one of his neighbors, with whom he had a fight, informed governor Miller of Smith's being in the state, when the governor issued his proclamation offering a reward for his apprehension. Smith in the meanwhile had returned to North Crrolina, where he was pursued by the person with whom he had a fight and two or three others, seized and brought, without any legal authority, into South Carolina, and on the affidavit of one of the captors, committed to prison.

Having been brought before chancellor Harper, on a writ of habeas corpus, it was urged against his discharge, that, although his arrest in North Carolina was without authority, yet his detention in South Carolina was lawful—that not having complied with the conditions of his pardon, Smith was a convicted felon, unpardoned and unpunished, and ought not to be again let loose upon the community, no matter how irregularly he had been brought within the jurisdiction of South Carolina.

Among other arguments used by the counsel of the prisoner it was contended, that having become a citizen of North Carolina, he had as such, rights under the constitution of the United States, of which no inferior tribunal could deprive him—that a clause of the constitution declares, that "the citizens of each state, shall be entitled to all the immunities of citizens in the several states." That as a citizen of North Carolina, he had a right to come into South Carolina, and that in this character he came pure into the sister state—he had not become a citizen in North Carolina upon conditions, as the constitution makes none. It was contended that the pardon could not effect constitutional rights, and, when they came in conflict the conditions of the pardon, must yield to the rights which the prisoner had acquired as a citizen of North Carolina.

The chancellor decided against the release of the prisoner, and remanded him to jail. His case, which has excited a good deal of interest, is to be again argued on the motion to pass upon him sentence of death.

INTERESTING ITEMS.

Died, recently in Boston, *John P. Boyd*, naval officer of the ports of Boston and Charlestown, and formerly a brigadier-general in the army of the United States.

Captain Woodbury, of the brig Orbit, belonging to New York, was murdered by his crew, in a mutiny, while on the coast of Africa. The mutineers have been arrested.

Ohio canals. The Ohio canal loan of $600,000, has been taken by Messrs. Prince, Ward, King & Co. of N. York, at the price of one hundred and seventeen dollars and fifty seven cents, for each hundred dollars of six per cent. stock. The aggregate offers amounted to nearly six millions of dollars. The canal debt, previous to the above loan, amounted to three millions eight hundred thousand dollars.

The Harrisburg Chronicle states that the *Pennsylvania canal*, from Middletown to Clark's Ferry, has been in navigable order for a few days past, and is expected to remain so until closed by frost. The *Juniata* canal is also navigable to Lewistown. The *Union* canal is not navigable at the summit level.

In the preface to Caillie's travels in Africa, it is stated that major Gray's expedition, and those of Peddie, Campbell and Tucker, in Africa, cost England eighteen millions of francs, (£750,000, sterling.)

Christian Jubilee. A letter from Stockholm mentions, that official orders have been given for a general jubilee to be held throughout the Swedish dominions, on the 28th November next, in celebration of the first introduction of Christianity into that country.

The Onieda Register says, that Dr. Kirkpatrick, superintendant of the salt springs, was indicted before the grand jury for alleged misconduct in his official capacity. The trial took place, and *he was acquitted without the jury's leaving the box, and on the testimony adduced by the state's prosecutor.*

Duties on merchandize. The following exhibits the aggregate of duties collected on merchandize imported into the United States, during the year ending on the 30th of September, 1830:

Specific duties . .	14,775,602 60
Ad valorem do. . .	11,035,884 00
	$25,811,486 60

The late judge Washington. Judge Hopkinson delivered, at Philadelphia, on Thursday, last week, before a numerous and distinguished audience, an eulogium on the late judge Washington. The National Gazette states, that the orator exhibited the merits of his deceased associate in the most skilful and effective manner; and handled the general topics which he introduced, so as to render his main subject doubly interesting and instructive. A subject so interesting to judge Hopkinson's feelings, called forth, no doubt, a most gratifying display of his high powers of eloquence and pathos.

Copperas. A rich bed of iron pyrites has been discovered in Hubbardstown, Mass. from which copperas of a superior quality is manufactured.

The restrictive system! Henry Lee, esq. has been unanimously nominated as a candidate for congress, by the opponents of the tariff in Boston.

French revolution. This important event has been hailed with enthusiasm in all parts of the United States, and in every section appropriate ceremonies have expressed the pleasure of the people. On the receipt of the news at New Orleans, great joy prevailed, and a committee was appointed to carry the congratulations of the citizens to the French nation. They are the bearers of a tri-colored standard to be presented, on behalf of the people of New Orleans, to the national guards of Paris.

Literary convention. There was an assemblage of literary gentlemen in New York, on the 20th inst. for the purpose of devising a system of literary and scientific pursuits, of a general and pervading character, for our universities, colleges, schools and learned societies. Dr. Nott, of Union college, presided at the convention.

Austrian consul general. The president of the United States has recognized the baron de Lederer, as consul general of Austria.

There were seventy-nine deaths in New Orleans, during the week ending on the 25th ult. most of which, we presume, although the fact is not stated, were by yellow fever. The number of sick in the hospitals at that date was 238. The cold winds which have prevailed hastened the death of those who were attacked.

The press-house of the powder mills, near Newburg, N. Y. belonging to Mr. Daniel Rogers, blew up on Thursday morning, last week, a little after 10 o'clock. Six men, who were in the house at the time, were killed —none wounded.

The workshops in the yard of the Ohio penitentiary, were destroyed by fire on the night of the 6th instant —loss estimated at $5,000. It is believed that the fire originated from a plan matured by the convicts to destroy the whole establishment; the workshops being destroyed, the keeper has determined to keep the convicts in solitary confinement until the meeting of the legislature.

Benjamin W. Richards, esq. was, on Tuesday morning last, elected mayor of Philadelphia, by an unanimous vote of the select and common councils, thirty-two members being present.

Fire at Gloucester. Contributions have been made for the relief of the sufferers by the late fire at Gloucester, Massachusetts. We perceive that Boston has remitted between 3 and 4000 dollars for this purpose; and the name of Ben. M. Crowninshield is down for the 300 dollars.

A duel. Surgeon *H. Willis Bassett,* of the United States navy, was killed in a duel by lieut. Joshua Sands at Rio Janerio, on the 19th August. Lieut. S. and the seconds, have been sent home by the commanding officer.

Domestic Cotton. The ship Rome of Salem, has just arrived from the East Indies, having carried out about 300 bales of American cotton cloths, which were sold at a high profit in Calcutta. The manufacture of cotton has almost entirely closed there.—Scientific power prostrates labor let it be ever so cheap; and the steam engine concentrates a force not derived from hundreds of hands.

FOREIGN NEWS.

From London and Liverpool papers to the 8th of Sept. inclusive.

THE NETHERLANDS.

It is probable that tranquillity will not be restored in the Netherlands until important concessions are made by the king. The following are the articles demanded by the deputation from Brussels, which waited on him at the Hague:

No. 1. The sincere execution of the fundamental law, without restriction or interpretation either by cabinet circulars, ministerial ordinances, or any other measure whatsoever.

2. The dismissal of the obnoxious ministry.

3. The temporary suspension of the slaughter duties (droits d'abbatage.)

4. A new system of election by which the right of choosing their representatives may be more directly vested in the people.

5. The re-establishment of trial by jury.

6. Liberty of the press, and abolition of the censorship.

7. A law confirming the legal responsibility of ministers.

8. A law by which the residence of the high courts of judicature will be fixed in the southern provinces.

9. The termination of all judicial pursuits against liberal writers, and the reversion of all condemnations for political offences.

10. Succor to be afforded to the workmen, until they can resume their labors.

The king received the deputation very kindly, and though there was a manifest reluctance to yield to the wishes of the people, a hope is expressed, that by the convocation of the states general, which has been ordered, a compromise may be effected.

Our former accounts of the disturbances to the Netherlands, came down to the 29th of August. All was comparatively quiet in Brussels on that day, when the news that a military force was approaching renewed the agitation in the public mind. This was soon allayed, however, by proclamations of the commanders of the civic guard and of the troops of the province of Middle Brabant, assuring the inhabitants that the troops which were marching upon Brussels, would not enter the city as long as order should be preserved. The deputation for the Hague set out on the morning of the 29th. On the 30th the shops of Brussels were open as usual, and no excesses were committed. On the following day the prince of Orange, at the head of a considerable force, arrived in the neighbourhood of Brussels, but finding the inhabitants were resolved to oppose his entrance, and that they had prepared for resistance by barricading the streets, tearing up the pavements, &c. he wisely abstained from provoking a battle. The first demand of the prince of Orange was that the citizens should lay down their arms, and put aside the colors and standards which they had assumed. On this demand being proclaimed, the utmost disapprobation was evinced, and the work of barricading the streets was continued with increased activity. On the 1st September another proclamation was issued, stating that the prince of Orange would enter the city alone, the safety of his person having been guaranteed by the deputies who had waited on him. The chiefs of the civic guard were accordingly required to assemble to meet the prince.

The reports of the princes entrance are various and of considerable length. We give the following:

Yesterday, by an arrangement with the authorities of the city, the prince of Orange entered Brussels.—He had received two deputations on the previous afternoon and night. The first he had treated very haughtily, desiring its members to lay aside their colors. He declined to make any concessions, but threatened to enter Brussels yesterday morning at the head of his troops. The announcement of this treatment and of this threat, produced the greatest agitation among the garde bourgeoise and in the mind of the provisional government, under which the capital has been for the last seven days. They resolved, if he attempted to effect his threatened purpose, to oppose force to force.

The people, about ten o'clock on Tuesday night, began, in imitation of the Parisians, to unpave the streets and to erect barricades at all the issues of the city towards the side on which he would enter. All the citizens were at their posts, and the most determined resolutions were every where taken to remain united and in arms till the prince came to terms.—Wagons were overturned across the streets—barrels were brought and filled with stones to increase the obstruction—great mounds were formed of the pavement which had been taken up—the trees along the boulevards were cut down to throw on these heaps—and before six o'clock in the morning the preparations made to receive the army must have effectually protected the city till after a great slaughter of the troops. Yet this was no test of what the resolution of the inhabitants might ultimately have accomplished, as the work of barricading was discontinued from half-past twelve at night, when the result of the prince's conference with the second deputation was announced.

His royal highness agreed, on the representation made to him of the state of the city, to enter it yesterday forenoon, with some members of his staff only, and without any other troops. He agreed to send back the troops coming on to Brussels, or at least to suspend their march, and to give orders to those before the palace to remain inactive in their position.

The commandant of the civic force issued an order of the day for the citizens to assemble at ten o'clock yesterday morning, in the square of the hotel de ville. But before they met, the prince sent to order that they would lay down their colours. To this command a posi-

tive negative was returned, and it was for some time doubtful whether his royal highness would appear under the Brabant flag, which had displaced the Orange. The urgency of the occasion, however, made him waive even this point, which to him at first was a point of honor, and he was obliged to entrust himself alone, without troops or assistance of any kind, among 8,000 or 10,000 armed citizens, who had thrown aside the colours of his family and assumed those of their ancient province. 2 000 stand of arms had arrived the day before from Liege; and it probably is no exaggeration to say, that not less than 10,000 burghers were provided with muskets by yesterday morning. The square of the hotel de ville probably never exhibited a finer display than when each of the eight sections had taken up their positions with their appropriate flags and glittering arms. They not only displayed the tri-color, on their standards, but each citizen wore a tri-colored cockade at his button hole, and most of them had tri-colored scarfs round their waists.

The march began towards the palace of Laeken, to meet the prince about half-past eleven o'clock, and the last of the sections had not left the square till half-past twelve. His royal highness, accompanied by three aids de-camp, came in about half past one, but did not reach the hotel de ville till half-past two o'clock.

He was extremely anxious to proceed directly to the palace, without going to the hotel de ville at all; but the lower class of inhabitants, no doubt directed by the city authorites, opposed his progress, and after a quarter of an hour's contest (during which the populace repeatedly seized the bridle of his horse, and insisted on his going to pay homage to the city authorities,) he was obliged to submit to their dictation. At the hotel de ville he made a speech in a very animated manner, in which he promised to satisfy the reasonable wishes of the Belgians, and announced the formation of a commission to consider their grievances. He then rode off with the cavalry part of the civic guard; and going too fast, narrowly escaped being killed by one of the posts, who thought that he was flying from the city to call in the troops.

All the guards were afterwards passed in review by him before his palace. He appeared pale and alarmed in the midst of the guard bourgeoise.

The prince has issued a proclamation in the king's name, calling a commission to adjust the causes of difference; and the last advices from Brussels state that he had set out for the Hague with proposals for the decision of the king, which required that Holland and Belgium should form two distinct administrations, under a federative government.

At Liege, Tournay, Mons, Bruges, Louvain and Namur, disturbances to a greater or less extent broke out in the latter days of August. At Bruges, eighteen prisoners took advantage of the departure of the troops to escape from gaol.

FRANCE, &c.

England has promptly recognized the new government of France, and it was confidently believed that this example would have a favorable effect on the determination of the other European courts. The fact of the acknowledgement of Louis Philip, by Great Britain, had diffused great joy in France.

The delivery of his new credentials by lord Stuart de Rothsay, took place on Wednesday, 1st Sept. when his lordship went to the king's palace in state, accompanied by the secretaries of the embassy. On quitting the palais royal, he was warmly applauded.

It is stated that count de Rayneval has returned from Vienna to Paris, with information that the emperor of Austria was fully disposed to acknowledge the new French government.

The court of Russia had not yet acknowledged the change in the government; but, on the contrary, had interdicted all intercourse between the two countries, not allowing any French ships to enter the ports of Russia carrying the tri-colored flag; at the same time the interdict extends to all French travellers. The intelligence which had reached St. Petersburg, was, however, the mere fact that a revolution had broken out in France—nothing was known of the result. It was believed when the facts reached Russia, that tranquility had been restored in France; that the French have elected the duke of Orleans to be their king; that the British government have acknowledged the wisdom of the choice; that Austria is well disposed towards the new constitution; and that other countries, equally afflicted, were disposed to fling off, and some of them had actually flung off, the shackles of tyranny,—the emperor of Russia will remove all the restrictions, and permit a free intercourse between the two nations.

The following is an extract of a letter obtained from St. Petersburg, dated the 21st Aug.

"You will, I have no doubt, be considerably surprised at the course adopted by the Russian cabinet towards the new French government, as it has given notice that no vessels having the tri-colored flag hoisted shall enter our ports, and that those bearing the white flag of France only shall be allowed to anchor. After the many statements which have been circulated here of the concurrence of the emperor in a change in France, the French residents have been surprised beyond measure.

It has been fully expected that there were some events of importance on the tapis, as the Russian ministry have had almost daily meetings, to which occasionally have been summoned the British, Austrian, and the French ambassadors.

It is believed by many persons here, looking on the bright side of the picture, that the notice issued by the Russian government will be of a temporary nature; and that the hostility of the emperor to the tri-colored flag will be wholly done away with when he learns that Great Britain has recognised the new French king. It must be here mentioned that the British ambassador, when asked by the ministers of the emperor, as to the opinions of the probable course his government would pursue, instantly replied that it was his conviction that Great Britain would not do any thing tending to militate against the will of the French people.—This is the story current here, among parties who sometimes have possessed good information, and I see no reason to doubt the correctness of the statement.

"The merchants and other French residents here have had an intimation given to them that they are not to make any sort of public demonstrations of joy in consequence of the late transactions in Paris, under pain of being ordered to quit the country. Politicians here are awaiting with much anxiety the result of the present declared opinions of the Russian government."

One letter, a London paper says, is in town, which states that all the natives of France resident in St. Petersburg and the other principal Russian cities and towns, have been ordered to leave in five days. This statement is not borne out by any other advices from the most respectable sources. It is said further that the emperor Nicholas intended to make a fresh levy of men, in addition to that of which notice was issued only a short time ago. This assertion is not confirmed.

The peace of Paris has been somewhat disturbed during the three first days of September by bodies of men, pretending to be printers thrown out of employ by the use of machinery. Such had been their violence, that the Journal des Debats could not be printed on the 3d, and the Le Temps of the 4th appeared, merely with a protest and notice, being principally in blank.

The National Guard, however, had been reinforced, and it was expected that the disorders of these individuals, who had doubtless been instigated to violence by the partizans of the exiled family, would soon be put down.

The great review, which had been for several weeks in preparation, was on Sunday the 29th. The number of the guard was fifty thousand, the whole of them clothed at their own expense, and serving without pay or emolument. The population poured out in immense numbers to witness the truly patriotic display: one account says, with exaggeration doubtless, that not less than half a million were present. Lafayette acted as the commander-in-chief on the occasion, and received on the ground the congratulations of the municipality of Paris. "This is a glorious day for you and us," said the prolocutor of the municipality. "Glorious indeed," replied the old hero, "the eighty-nine was a great day, but this is a much greater." In the midst of the review, a mass of persons was seen slowly advancing amidst the shouts of the surrounding spectators—it was the wound-

ed in the fight of the three days, who had crawled and been carried from the hospitals to view the splendid show, which, but for their exertions, would never have taken place. Amidst this band of patriots were seen boys of not more than twelve years of age, who had risked their lives on that memorable occasion, the women who had forgotten their sex's fears in the dangers of their country. The following letter addressed by the king to Lafayette on the same evening, is characteristic:

"I am anxious to learn, my dear general, how you find yourself after this glorious day; for I am fearful that you must be overcome with fatigue; but I have another object which lies near my heart, namely, to request you to be the interpreter of my feelings towards those glorious national guards, of whom you are the patriarch. Tell them, that they have not only surpassed my most sanguine expectations, but that it is completely out of my power to express my sentiments of joy and happiness. Having been a witness of the federation in 1790, in this same Champ de Mars—a witness also of the grand enthusiasm of 1792, when I saw come up, to join our army in Champagne, forty-eight battalions of the citizens of Paris, formed in three days, and who so eminently contributed to repel the invasion which we had the happiness of resisting at Valmy, I am able to make the comparison; and it is with transport I declare to you, that what I have just seen is far superior to what I then considered so noble, and what our enemies found so formidable. Have the goodness, my dear general, to express to the national guards how sensibly I was affected by their testimonies towards myself, and how deeply my heart is impressed therewith. Yours affectionately,

"LOUIS PHILIP."

Disturbances have occurred at Nismes, and in other places distressing scenes have taken place. The trial of the ministers was still progressing.

There has been presented to the chamber a projeet of a law which re-opens the gates of the realm to the exiles of 1815. An article in it continues the exile of the Bonaparte family. This arrangement has been occasioned by considerations too high for every body to appreciate. Already complaints are uttered. Some require that there shall be no exceptions with respect to any class of exiles; others merely demand the admission of women connected by blood or marriage with the family of Napoleon. It is desirable that, at the present moment, no discussion shall be excited in the chamber on the subject. Desires for the presence of the duke de Reichstadt would be culpable; they would be rejected by the nation.

The troops of the Algerine expedition were much dispirited. Great sickness had prevailed amongst them. The tri-colored flag and cockade had been assumed by both the fleet and the army. It is said that 15,000 troops would be necessary to replace those who had either been killed, were sick, or were disgusted with the service, if it were intended the army should proceed against the natives who occupy the mountains.

The crops in Great Britain are said to promise a rich harvest.

Apprehensions are entertained that the late events in France and the Netherlands, may excite disturbances in Naples. The dey of Algiers, who resides there, on hearing of the fall of the French king, exclaimed, "God is Great; that king drove me from my throne; now his people have driven him away!"

Nothing of importance has occurred in Spain. The constitutional Spaniards have issued a long manifesto, charging the king and his ministry with having impoverished and degraded the government.

The Portuguese government promptly restored the British ships which had been seized, and made full compensation to the parties who had suffered loss thereby.

REVOLUTIONARY PAPERS.

From the National Gazette.

"*The Diplomatic Correspondence of the American Revolution*, being the letters of Benjamin Franklin, Silas Deane, John Adams, John Jay, Arthur Lee, William Lee, Ralph Izard, Francis Dana, William Carmichael, Henry Laurens, John Laurens, M. de Lafayette, M. Dumas and others, concerning the foreign relations of the United States during the whole revolution: together with the letters in reply from the select committee of congress and the secretary of foreign affairs.—Also; the entire correspondence of the French ministers, Gerard and Luzerne, with congress, published under the direction of the president of the United States, from the original manuscripts in the department of state, conformably to a resolution of congress, of March 27th, 1818. Edited by Jared Sparks."

We give thus the title of a work, in five handsome octavo volumes, which was issued last year at Boston, but of which we do not recollect to have seen a notice in any American journal, though the worst of the recent British novels have engaged the attention of many American writers. It is only within the two months past that we have enjoyed an opportunity of reading the *correspondence*, which has afforded us more gratification and profit, than any foreign book could do, and which cannot fail to reflect, abroad, great honor on our republic.

The present compilation will be highly prized by all who value authenticity for our national annals, and take an interest in the diplomatic proceedings by which the cause of the revolution was so materially advanced. No American political or historical student should be deferred from the perusal of this work, on account of the number of volumes. Each of the several divisions of it is separately instructive, and possesses more or less attraction: the writers of the correspondence were all men of considerable talents, indefatigable diligence, and inflexible patriotism; and they treated of concerns that touched or involved the politics and destinies of the principal nations of the world. The letters of Franklin, Adams and Lee are the most numerous and important; they shadow out those accomplished patriots; they bring us into fresh intimacy with their revolutionary feelings and labors; they introduce us into the cabinets of France, Spain and Prussia, and form, indeed, a political and statistical map of Europe for the periods at which they were composed. The communications of the committees and secretaries, appointed by congress to correspond with the American agents abroad, and to disclose in part the difficulties and anxieties under which that illustrious body labored, include much of the military history of the revolution, stated with precise and accurate knowledge.

The correspondence was secret and confidential, and so held throughout the revolution, by congress, to whom the letters were read as soon as they were received.—All those of Dr. Franklin, in this collection, are not however, new to the world: a part of them appeared in the edition of his life and writings, which his grandson published in London ten or twelve years since. The distinguished and competent editor of the present work, *Jared Sparks*, esq., observes, in his explanatory advertisement:

"On perusing these volumes, it may, at first, seem extraordinary that so large a collection of letters, written by different persons at different times, embracing topics of great moment, and assuming the character of secret and confidential despatches, should be generally well fitted to meet the public eye. But it must be kept in mind that the writers knew their letters would be read in open congress, which was much the same as publishing them, and under this impression they were doubtless prompted to study circumspection, both in matter and manner."

With all deference, we think that the natural and real solution lies in the practised ability of the writers—and the character of the topics. The three ministers whom we have particularly cited above, were men of superior literary talents, politicians of wide and deep research and abundant information: few of the European statesmen equalled them in the distinguishing merits of their profession. As far as the private correspondence of the most famous administrators of government, and optimates or favorites of the republic of letters, has been divulged, it has redounded to the credit of their heads and pens, even more than their public compositions. Mr. Sparks remarks, also, in his advertisement—

"When it is considered under what circumstances and with what aims these letters were written, it will be obvious that time and succeeding events must have detected occasional misapprehension and errors of statement in the writers, as well as the fallacy of some of their conjectures and speculations. They were called upon

to grapple with the politics of Europe, and to discourse on a theme and execute a task, that would have been of no easy accomplishment in the hands of the veteran diplomatists of the old world."

These suggestions strike us as extraneous or inapplicable in a degree. The men in question were equal to the veteran diplomatists; and not more unequal than they to the task of discussion and prediction. They looked into affairs as deeply and comprehensively—their grasp of the subjects of the day was as wide and vigorous; their auguries were the same; all predicted and believed that the loss of the colonies would be the ruin of Great Britain and the aggrandizement of France. Here was the chief and potent fallacy in the conjectures and speculations of all; it served to instigate the British government and people in the prosecution of hostilities; it quickened the French cabinet to the inestimable alliance with America; it produced the favor with which the States General and people of Holland, and the courts of Russia, Prussia, and Austria, regarded the American cause; it seemed to console our own patriots, who were the most indignant at the tyranny and cruelties of the mother country.

There is one general impression left by this correspondence, which we cannot but mention here with some reference to the present supposed perils of the Bourbon dynasty in France, and to the satisfaction with which they seem to be regarded by some of our countrymen. That impression is—of admiration at the constant and lively interest which the French court and noblesse took in the success of our revolution; and it includes a strong feeling of patriotic acknowledgment for their early, earnest and most beneficial friendship. We do not mean to repeat any common places on this head, yet we could fondly dwell on the *patience* of the minister Vergennes and his king—Louis XVI—with the unreasonable *impatience* and exhorbitant expectations, which were often shewn in Paris by all our agents in that capital, except Dr. Franklin; and on the extremely kind efforts which were made by the French cabinet to soften the mutual antipathies and complaints of the American commissioners, who, though all zealous lovers and servants of the revolutionary cause, indulged, from time to time, a jealousy and dislike of each other, quite unbecoming, and detrimental to their main purposes. With what deep sensibility and real gratitude Franklin expresses himself in his valedictory letter to Vergennes!

"I beg the favor of you, sir, to state respectfully for me to his majesty—the deep sense I have of all the inestimable benefits his goodness has conferred on my country—a sentiment that it will be the business of the little remainder of life now left me, to impress equally on the minds of all my countrymen. My sincere prayers are that God may shower down his blessings on the king, the queen, their children, and all the royal family, to the latest generations."

We have no room for large extracts from the correspondence; the able letters of John Adams fill one half of the fourth and all the fifth volume. From them we shall take a few passages, which have some relation to the topic of our last paragraph.

"*Auguste* 4, 1779.

"The revolution in America, in which the French king has taken an earlier and a greater part than any other sovereign in Europe, has operated so as to conciliate to him a consideration that is universal. The new minister will give to congress information the most precise in this respect, and touching the part which Spain is taking at this time, for which reason I shall refrain from entering into it, and content myself with observing, that all these considerations ought to induce us to cherish the alliance of France, and that every good citizen of the United States ought to endeavour to destroy the remains of those prejudices, which our ancient rulers have endeavoured to inspire us with: that we have nothing to fear, and much to hope from France, while we conduct ourselves with good sense and firmness, and that we cannot take too much pains to multiply the commercial relations, and strengthen the political connections between the two nations; provided always that we preserve prudence and resolution enough to receive implicitly no advice whatever, but to judge always for ourselves, and to guard ourselves against those principles in government, and those manners, which are so opposite to our own constitution and to our own character, as a young people, called by Providence to the most honorable and important of all duties, that of forming establishments for a great nation and a new world."

"*Paris, March* 12*th*, 1780.

"There are those who believe that if France and Spain had not interposed, America would have been crushed. There are in other parts of Europe, I am told, a greater number who believe, that if it had not been for the interposition of France and Spain, American independence would have been acknowledged by Great Britain a year or two ago. I believe neither the one nor the other. If it was rational to suppose, that the English should succeed in their design, and endeavor to destroy the naval power of France and Spain, which they are determined to do if they can, what would be the consequence? There are long lists of French and Spanish ships of the line yet to be destroyed which would cost the English several campaigns and a long roll of millions, and after that they may send sixty thousand men to America, if they can get them, and what then? Why the glory of baffling, exhausting, beating and taking them, will finally be that of the American yeomanry, whose numbers have increased every year since this war began, as I learnt with certainty in my late visit home, and will increase every year in spite of all the art, malice, skill, valor, and activity of the English and their allies."

"*Paris, May* 9*th*, 1780.

"Our alliance with France is an honor and a security which have ever been near my heart. After reflecting long upon the geographical situation of the old world and the new, the agriculture, commerce, and political relations of both, upon the connections and oppositions among the nations of the former, and the mutual wants and interests of both, according to such imperfect lights as I was able to obtain, the result has long since been this, that my country, in case she should be compelled to break off from Great Britain, would have more just reasons to depend on reciprocity of the good offices of friendship from France, Spain, and other sovereigns, who are usually in their system, than upon those in the opposite scale of the balance of power. I have ever thought it therefore, a natural alliance, and contended for it as a rock of defence.

REVOLUTIONARY HISTORY.

From the Raleigh Register.

We feel great gratification in giving publicity to the annexed communication, establishing, as it does, beyond the possibility of cavil, one of the most important facts connected with the history of our state—one of which every citizen should be proud. That to North Carolina belongs the honor of having made the first public declaration of independence, we presume, that *now*, no one will venture to dispute. It is a little singular, that the resolution referred to has not before been made the subject of public investigation, and had awarded to it, as it eminently deserves, a conspicuous place in the histories of our state compiled by Williamson and Martin:

Raleigh, 8th Oct. 1830.

Messrs. Gales & Son.—Gentlemen: Seeing in your paper of yesterday an article taken from the Newbern Spectator, in which the editors seem desirous that the fact should be established beyond doubt, that the provincial congress of this state did, on the 12th of April, 1776, unanimously pass a resolution, empowering their representatives in the continental congress to concur with the delegates of the other colonies in declaring independence, forming foreign alliances, &c.; and wishing, as far as in my power, to promote the honor and dignity of my native state, I commenced searching for the original journals of the congress aforesaid, and am happy in being able to inform you that I have found them entire. A copy of which, so far as respects the authority given by the provincial congress to the continental congress, to declare independence, &c. is herewith sent you, regularly certified. Very respectfully, your obedient serv't.

WM. HILL.

[Mr. Hill is secretary of state of North Carolina.]

Monday, April 8th, 1776. The congress met according to adjournment. On motion,

Resolved, That Messrs. Cornelius Harnett, Allen Jones, Thomas Burke, Abner Nash, John Kinchen,

Thomas Person, and Thomas Jones, be a select committee, to take into consideration the usurpations and violences attempted and committed by the king and parliament of Britain, against America, and the further measures to be taken for frustrating the same, and for the better defence of this province.

Friday, April 12th, 1776. The congress met according to adjournment.

The select committee taking into consideration "the usurpations and violences attempted and committed by the king and parliament of Britain, against America, and the further measures to be taken for frustating the same, and for the better defence of this province," reported as follows, to wit:

"It appears to your committee, that, pursuant to the plan concerted by the British ministry for subjugating America, the king and parliament of Great Britain have usurped a power over the persons and properties of the people, unlimited and uncontrolled; and disregarding their humble petitions for peace, liberty and safety, have made divers legislative acts, denouncing war, famine, and every species of calamity, against the continent in general: That British fleets and armies have been, and still are, daily employed in destroying the people, and committing the most horrid devastions on the country: That governors in different colonies have declared protection to slaves who should embrue their hands in the blood of their masters: That the ships belonging to America declared prizes of war, and many of them have been violently seized and confiscated; in consequence of which, multitudes of the people have been destroyed, or, from easy circumstances, reduced to the most lamentable distress.

"And whereas, the moderation hereto manifested by the united colonies, and their sincere desire to be reconciled to the mother country on constitutional principles, have procured no mitigation of the aforesaid wrongs and usurpations, and no hopes remain of obtaining redress by those means alone which have been hitherto tried, your committee are of opinion that the house should enter into the following *Resolve*, to wit:

Resolved, That the delegates for this colony in the continental congress, be empowered to concur with the delegates of the other colonies, in *declaring independency*, and forming foreign alliances, reserving to this colony the sole and exclusive right of forming a constitution and laws for this colony, and of appointing delegates, from time to time, (under the direction of a general representation thereof), to meet the delegates of the other colonies, for such purposes as shall be hereafter pointed out."

The congress taking the same into consideration, unanimously concurred therewith.

—

State of North Carolina, sec'y of state's office.

I certify that the foregoing is correctly copied from the original journals of the provincial congress, which met in Halifax, on the 4th of April, 1776.

Given under my hand, this 8th of October, 1830.

WILLIAM HILL, *secretary.*

DUTY ON SUGAR.

From the New Orleans Argus, September 29.

Protective duty upon sugar. It can scarcely be necessary, at this age of the republic, to discuss the constitutionality of what is called the protective system.—The principle of it was fully recognized by the founders of the federal government, and the first administrators of it. During the first session of the first congress, convoked under the present constitution, Mr. Madison, in his opening speech on the first revenue (tariff) bill, expressed himself, in regard to the powers of the general government over the manufactures of the country, as follows: "Whilst the states, that are most advanced in population and ripe for manufactures, retained the power of making regulations of trade, THEY had the power to protect and cherish such institutions. But by adopting the present constitution, they have thrown the exercise of this power into our hands; they must have done this with the expectation that their interests would be respected here. I think it both politic and just that the fostering hand of the general government should be extended to all those manufactures which will tend to national utility."

This, from the father of the constitution, must satisfy every reasonable man. It does not appear that he has changed his opinion, in regard to the federal constitution, in this respect, since that period. The principle then met with a general concurrence. It was not even controverted. It was then adopted, and has since been uniformly acted upon. It is now become a part of the common law of the constitution. "The memory of man runneth not to the contrary" of it. The constitutional objection to it, is modern in its origin: it is no older than the doctrine of "nullification." It is coeval with it.

The question is, therefore, entirely one of expediency; or, as Mr. Madison, perhaps, more properly expresses it, of "national utility." The influence which the protective system is exerting over the fortunes of twelve millions of freemen, is a subject of interesting investigation. So far as sugar is concerned, the first consideration in regard to "national utility" is, the adoption and capacity of the soil and climate, to produce the quantity requisite to supply the wants of the country.—If this may be done within our own boundaries, it is better than to expend our money elsewhere. If soil and climate be adequate, with adequate protection, domestic competition will do all that is necessary to keep the prices down. The soil of a considerable part of Louisiana, of Florida, and of much of the eastern section of the state of Mississippi, is undoubtedly as productive as that of the colonies of Spain and England, whence we were formerly supplied with sugar.

In regard to the quantity: In the year 1828-9, there were produced in this country, 88,000,000 lbs. of sugar. The whole consumption of the country was 143,000,000 lbs.; of which, only 55,000,000 lbs. were imported. The amount produced in the year 1829-30 was only 48,000,000 lbs.: the books of the treasury show that less than 43,000,000 lbs. were imported; the consumption of the country could not, therefore, have increased with the increase of population, for there was a partial failure of the American crop that year; yet there was less imported that year than the year previous, when the crops here were good. But since 1828-9, the growth of sugar has been undertaken extensively in Florida, with the fullest assurances of entire success. Meantime the number of sugar plantations in Louisiana alone, has increased from 483 to 700. It is also well ascertained that the country bordering on Red river, which is now occupied in the growth of cotton, is well adapted to the growth of the sugar-cane. The culture of the cane is also rapidly extending into the eastern section of the state of Mississippi; and, ere long, if the protection be continued, sugar, instead of cotton, will become the staple of both these districts. When these are fully cultivated, it cannot be doubted that the supply will be four-fold the quantity at present consumed in the country. Should the crop of the present year turn out as well as it now promises, the increase of consumption occasioned by the increase of population, and the 43,000,000 lbs. deficient in the year 1829-30, will be more than supplied, and there will be no occasion for any importation.

The question, in regard to the adaptation of the soil and its capacity to produce the requisite quantity, are thus satisfactorily disposed of. Since the protective duty upon sugar has been laid, the price has declined in this country, although it has fallen in Cuba! But why has the price of sugar fallen in Cuba? For the plain reason that they have lost the market for 100,000,000 lbs. annually, in this country. It would not thus have declined had they been able to retain the market for this quantity in the United States. But this market having failed, it left 100,000,000 lbs. upon their hands to be disposed of elsewhere, and there being no new opening, the price must decline as a matter of course. At the present prices of sugar in Cuba, the production of it is a losing business. The plantations are going to ruin.—The planters curse our tariff not less fervently than the "nullifiers" of South Carolina do, as the fruitful source of all their embarrassment. In some instances they have transferred their capital to Florida!

But because the price of sugar has declined in Cuba, and has not declined in a relative proportion in the United States since the protection was imposed, it is inferred that our planters are making enormous profits. If this were so, if sugar-growing were really the best bu-

siness in the country, capital would have been withdrawn from other objects and invested in its production, and the prices would thus have been brought down by domestic competition. There is room enough; there is no interdiction; all may engage in it who choose. But the ruin that has fallen upon the sugar interest in Cuba, since the reduction of the price, shows conclusively that sugar is now produced here at as cheap a price as it can reasonably be produced elsewhere. It is less than we paid to the planters of Cuba, when we were supplied by them. It is the lowest price at which they can thrive. If the planters of Cuba, with greater capitals, and more experience, cannot succeed at the present low prices, how can the infant establishments of our country submit to the reduction consequent upon the market being again thrown open to the redundant supply of Cuba? Would we bring the same ruin upon our planters? And what would we gain by such a procedure? When the planters of Cuba had accomplished the ruin of the infant establishments in this country, and secured to themselves our market, they would raise the price to what it now is; for that, they tell you, is the lowest price at which it can be produced with profit. What then will we have accomplished, by removing the duty upon the sugar? We will have patronized the planters of Cuba, at the expense of utter ruin of those in our own country, without the least benefit to ourselves,—without any permanent diminution of the price of the article! A patriotic proceeding, truly!

But those who infer, from the disproportion between the price of sugar in Cuba and in the United States, that immense profits are the result of its production here, miscalculate in many other respects. The price of land here is much greater than it is in Cuba. It requires the expenditure of much more capital to render it fit for cultivation. When prepared, however, it is inferior in strength and capacity to none in the world. In Cuba, where they have the advantage of a direct slave trade, the original cost of slaves is fifty per cent. less than it is here. In Cuba, the slaves go nearly naked: perhaps the expenditure of fifty cents per annum will suffice to clothe them; while during the greater part of the year they live upon the spontaneous products of the fields, with little or no expense to their owners. Here, on the contrary, the feeding and clothing a slave does not cost less than fifty dollars per annum. The loss by death, in bringing slaves from a northern climate, which our planters are under the necessity of doing, is not less than twenty-five per cent. To all these disadvantages, which the Louisiana planter is at present subject, and to which the planters of Cuba are not, is to be added the frequent injury, and sometimes the total failure, of the crop by the happening of an untimely frost or crevasse, &c. Yet, with all these disadvantages, our planters are able to produce sugar cheaper than the planters of Cuba afforded it to us before the protecting duty was laid, and as cheaply as they say it can be produced at a profit. All these difficulties and disadvantages will doubtless, ere long, be overcome. Ultimately we shall produce sugar here as cheaply as they do in Cuba. But, meantime, it requires 'that the fostering hand of the general government should be extended' to it, and without which it is evident that the cultivation of sugar must be abandoned here, as it is now being abandoned in Cuba.

France has given an example, in relation to sugar, which it were prudent in our government to follow. According to "*une Enquette sur les sucres*," made in 1829, by the direction of the French legislative chambers, it is proved that, while the French West India lands do not produce an average of more than 2 500 or 3,000 killogrammes the hectare, Cuba yields from 6,000 to 7,000 killogrammes. The French government, notwithstanding that the French colonies are not as productive as those of other powers, have deemed it to "tend to the national utility" to protect the sugar interest of their own colonies. In 1814, a discriminating duty of twenty francs the quintal, was laid on all sugar imported from any foreign colony; in 1816, it was raised to twenty-five francs; in 1820, to thirty francs: and in 1822 to fifty francs, at which it now remains. The produce of Guadaloupe, which in 1818 amounted to 24,000,000 of killogrammes, in 1829 had increased to 37,000 killogrammes. The effect in Martinique was relative. These two islands, together with the isle of *Bourbon*, had obtained a complete monopoly of the French markets while the price was not greater than in England, whose colonies were so much more productive than those of France. Such is the certain effect of domestic competition, when adequately protected. Whether was it better for the government of France, to protect their own citizens, their own capital, their own resources; or to patronize those of England and Spain? Let patriotism answer.

This essay has already exceeded the limits with which we are prescribed. We must pause for to day. Ere we have done with the subject, we shall allude to the plan that has been partially matured, of attacking the tariff in detail. The duty on sugar—a duty almost coeval with the government, and which has not been increased since 1816, is to be first repealed, with a view of detaching Louisiana from the support of the tariff system, whereby it is hoped to repeal the whole. Hence the attack of the Banner of the Constitution upon the sugar duties. We will remark hereafter upon this plan, and upon its necessary results, if it should be effectuated.

CULTIVATION OF SILK.

From the New England Farmer.

Mr. *Fessenden*—I enclose a letter from *P. S. Duponceau*, esq. of Philadelphia, on the culture of silk, which contains much important information and evinces such a liberal and patriotic spirit, that it would be doing great injustice to the whole community, to withhold it from publication.

The life of that illustrious scholar and jurist has been marked by a zealous devotion to the best interests of his country. He commenced his distinguished career as an officer of the revolution; in literature and science he has attained an exalted station in both hemispheres, and we now behold him, in the fulness of years, prosecuting investigations, subservient to all the great branches of national industry, with the vigor and enthusiasm of youth.

If we look back only a few years, and recollect what has been accomplished, it will not be difficult to appreciate the immense value of the experments he is so generously making, and the consequences which must result from their success.

In 1784, an American vessel was seized in Liverpool for having on board '*eight bales*' of cotton, as it was considered impossible that they could be the growth of this country; and in 1829, there were imported into that city, from the United States, 640,998 bales.

But a few years since, there was not a cotton manufactory in the union, and now, in the single village of Lowell, which is a creation of yesterday, a thread is daily spun, which would extend more than five times round the earth.

I sincerely regret, that I unintentionally rendered myself obnoxious to the gentle rebuke of my venerable correspondent. I was aware of the commendable exertions of Mr. Vernon, of Rhode Island, and Mr. Cobb, of Dedham, to advance the culture of silk, and am happy to learn that they are as well known and as highly estimated at a distance as at home, and to avail of this occasion, not only to bear testimony to their merits, but to aver that, 'in their own country,' all are ready to do them honor, and are proud to claim them as fellow citizens, who have deserved well of the republic.

Most respectfully, your obedient servant,

H. A. S. DEARBORN.

Brmley Place, Roxbury, Sept. 2, 1830.

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Philadelphia, August 28, 1830.

H. A. S. Dearborn, esq. Roxbury, Mass.

Dear sir: I have received the 4th No. of vol. 9th, of the New England Farmer, which you have had the goodness to send to me, containing an article written by yourself, in which you are pleased to ascribe much more merit to my weak efforts for promoting the culture of silk in this country than they are in strict justice entitled to. The first impulse to this important branch of agriculture, was given by the house of representatives of the United States, in the year 1826. Since which time, mulberry trees have been planted and silk worms raised, in various quantities, in the different parts of our union; but no means appearing of making that culture profitable, there was danger of its being speedily abandoned, as it has been

repeatedly in this country and in many parts of Europe. As cocoons cannot be exported in kind, nor can they be used in manufactures without a certain preparation called reeling, or spinning from the cocoons, unknown among us, the farmer or planter did not know what to do with those that his silk worms produced, and they became a prey to rats or devouring insects.

It is true that, in Connecticut and in some other parts, a kind of inferior sewing silk was made out of the cocoons, which found no cash price in our commercial cities, and could only be disposed of by way of barter. It is true also that by a similar process, some of the coarser stuffs, such as vestings, stockings, gloves, and perhaps even ribbons, might have been made; but it is now well known that all those articles in Europe are made of floss or refuse silk, and that the finer material is reserved for those delicate stuffs, for which we pay yearly so large a tribute to Europe, and particularly to France.

To reel or prepare the silk for making these finer stuffs, is an art known only, in its perfection, in the north of Italy and the south of France. Even in China, the native country of the silkworm, the material is not so well prepared as it is in those two countries. In the Turkish dominions, and in Bengal, the preparation is still inferior. As to the latter country, I beg leave to quote the opinion of an English silk broker, communicated by the respectable house of Rathbone, Brothers, & Co., of Liverpool, to a gentleman of South Carolina, in a letter received in the course of the present year. "Every thing," says the silk broker; "depends on the proper selection and reeling of them, (the cocoons,) into the hanks. Although our importations from the East Indies are great, and this trade is of such vital importance to our successful competition with the continent, (of Europe,) it is to be regretted that neither the East India company, nor the private merchants, have hitherto employed any competent person to superintend the reeling of the silk. If that were done, I have not the slightest doubt, but that silks of the eastern production would render us altogether independent of either France or Italy; for it is an established fact, that silk of the best quality can be produced in the East Indies at a lower rate than in Europe."

This speaks volumes: it is evident that if competent persons to superintend the reeling of silk could be easily procured from Italy or France, Great Britain, situated in the vicinity of those countries, and having such a high interest to promote, would have obtained them. The reason why it cannot be done is this. In the filatures of Europe, the mechanical process of reeling is performed by women, under the direction of overseers. The women are ignorant, being taken from the very lowest class of the people. No consideration can induce them to leave their native villages, much less to cross the seas; the overseers are few, and generally men of an advanced age, and have families. They are well compensated for their labor, and have no temptation to emigrate.

The great desideratum, therefore, in the United States, is to learn the art of reeling silk for manufacturing those stuffs with which our females are almost universally clothed, and not only to learn but to disseminate it through the whole country, as it has been ascertained that the cost of transporting cocoons from one part of the union to the other, would render them valueless to the grower, unless filatures were established in his immediate neighborhood, or at some reasonable distance.

A fortunate chance in the course of last summer brought Mr. D'Homergue to this country, a young man, 25 years of age (now 26) well skilled in the art of reeling silk from the cocoons, and in other branches of the silk manufacture. His work, which no doubt you have seen, entitled "Essays on American silk," made him generally known, and congress took so much notice of it as to refer it to their committees on agriculture. The committee of the house of representatives, perceiving the importance of keeping this young man in the country, reported a bill to the house, the object of which was to employ him in teaching the art of reeling silk to sixty young men, to be selected from the different states in the union, in certain proportions, who, when sufficiently instructed, might establish themselves as directors of filatures in their respective neighborhoods, and employ women to perform the mechanical work under their direction. Thus the art of preparing silk would be introduced in its perfection, equally and uniformly through our extensive country, and the result might be easily anticipated.

This bill, however, in consequence of the pressure of other business, could not be taken up at the last session, and lies over till the next, when the fortunes of this country, as far as they depend upon silk, will either be effectually secured, or put back for a period, the duration of which cannot be foreseen.

Determined however, as far as depended upon me, to keep Mr. D'Homergue in this country, at least until the next session of the national legislature, I have resolved to employ him during the present recess in making experiments on American silk, whereby the nation might be still more fully convinced of the importance of the art he professes. For this purpose I have purchased cocoons, and established an experimental filature in this country, in which ten reels are at work. My object is to test the price which our raw silks will produce in the markets of England, France, and Mexico, into which last country large quantities of the raw article are annually imported, as they have silk manufactures, and do not raise silk worms, but import that material from abroad at a considerable expense. I expect no profit from this undertaking; as far as I can judge, on the contrary, there will be a not inconsiderable loss; but it is not profit that I have in view. Experience in every thing must be purchased. I have fixed a sum, which I am willing to lose, and which I shall not regret, if the country is benefitted by it. The silk that my filature has hitherto produced, is of the most beautiful kind, and is at least equal, if not superior, to any in the world. I would wish to try the quality of the silk cocoons raised by silk worms on the leaves of the wild or red American mulberry, but I have not been able to procure a sufficient quantity for that purpose. In general, I have found it difficult to obtain cocoons; because their value is not yet known, and the profit to be made by the sale of them not sufficiently ascertained. Therefore I shall not be able to carry my experiments to the extent I had at first contemplated. But this difficulty will vanish in the course of another year. A great impulse has been given, and I have no doubt that more cocoons will be raised next summer than will be wanted for any object that this country will be able to compass.

In the recess of my filatures, occasioned by a temporary deficiency of cocoons, desirous of doing every thing in my power to show what might be done with American silk, I have prevailed on Mr. D'Homergue, out of the silk that he has reeled and prepared, to weave the flag of the United States; and he is now engaged in the work, which is expected to be finished in about a fortnight. The warp is already fixed upon the loom, the silk is dyed, and next week the weaving of the web will begin. The flag will be twelve feet long by six feet wide, and so fine will be the texture of the stuff that it is expected that it will not weigh more than twelve ounces. This flag is intended to be presented to the house of representatives of the United States, as a beautiful specimen of the first result of real value, which the impulse which they have given has produced. It will show that the finest of silk stuffs may be made in this country.

It has not been an easy task to produce this result.—Every thing, even the loom, has had to be made new and for that only purpose. The machinery, too, occasioned much difficulty—there are implements necessary for weaving silk, different from those employed in weaving other substances. Despairing of obtaining them in this country, I had written to France for them, and they are not yet arrived. When I least expected it, fortune threw in my way a young emigrant from Europe, who has made these tools in the highest perfection. The dying also embarrassed me. It was generally understood that the beautiful colors of the French silks could not be imitated here. What was my delight when I discovered two other emigrants, a Frenchman and a German, just set up in the dying business, and who have dyed our silk with the most brilliant red and blue, (the colors of our flag), so that nothing can surpass that beautiful coloring!

I have also discovered that we have in this country, from England, France, Germany, and other places, manufacturers of silk of almost every description. We

have silk throwsters, silk dyers, silk weavers, silk manufacturers; all, but good reelers, without which the labor of the others must be at a stand. These are all waiting for employment, some of them being in very poor circumstances. All we want is the art of reeling, and every thing else will follow. As to mulberry trees and silk worms, let but a good price be given for the cocoons, and they will be produced in quantities as if by magic. *Every thing*, as the silk brokers say, *depends upon good reeling.*

Having spoken of *silk throwsters*, I ought to say that the operation of *throwsting* will be the only one that our flag will not receive. Throwsting consists in uniting and twisting together, by means of machinery, several threads of silk, so as to give them the required size and strength; a throwsting mill, as it is called, is a very costly article, and cannot be had in this city. Mr. D'Homergue asserts that no other but American silk (such is its nerve and strength) could be wove without undergoing that operation. What succedaneum he will employ for it I do not know; but I think I may safely say, that the flag will be as beautiful a web of silk as can be produced anywhere.

As I have thought, sir, that it would be agreeable to you to know the progress we are making in this city in the important business of American silk, I have taken the liberty of extending this letter to its present enormous length, for which I shall make only the common apology, that "I could not make it shorter."

As in your article in the New England Farmer, you have noticed citizens of different states who have exerted themselves in the cause of American silk, I have been not a little astonished that you have left out the men of New England, and particularly William H. Vernon, esq. of Newport, R. I. and Jonathan H. Cobb, esq. of Dedham, in your own state. I hope the proverb does not hold with you, that no man is a prophet "in his own country;" at any rate, it will not be unbecoming in a Pennsylvanian to give due credit to the meritorious efforts of those two sons of the renowned pilgrims.

I am, with great respect, dear sir, your most obedient humble servant, PETER S. DUPONCEAU.

SPEECH OF GEN. HARRISON,

Delivered at a public dinner given him in Madison, Indiana, on the 24th of August, 1830.

General Harrison said, that it was related of the great Napoleon, that being, on a certain occasion, (perhaps in the retreat from Moscow,) in very imminent danger in the passage of a defile, his soldiers formed a square, and placing him in the centre, conveyed him through in safety, the music playing a tune designated, "When can a man be so happy as when surrounded by his family?" Without arrogating to myself, said general H. the great qualities which gained for that wonderful man the affections of all who approached him, I may be permitted to say that the feelings with which I am inspired by the present scene, must be similar to those which he experienced on the occasion to which I have alluded. It cannot be considered strange that, after having been for thirteen years the governor of Indiana; after having spent so many of my best days in her service, in the field as well as in her civil administration; after having, in some degree, been instrumental in raising her from the state of a feeble colony to her present high rank in the union; and above all, after the many manifestations of regard and partiality which I have received from her citizens upon every occasion and under all circumstances, that I should consider myself, when surrounded by them, "in the midst of my family." Yes, fellow-citizens, it is from your award, repeatedly made, that I claim this high, this enviable distinction.—Great as it is, however, I will not say that I have not in part deserved it, as far at least as good intentions and the greatest devotion to your interests could give me the claim. Upon my first appointment to the government of your territory, the whole of its margin washed by the noble river in our view, with a most trifling exception at the rapids, was one vast, solitary, uninterrupted wilderness. Its luxuriant soil, destined by the Great Creator to give support to thousands of intelligent and happy beings, unbroken by a single furrow. To do so, to trespass upon the rights of its savage owners, was forbidden and punishable by our laws. The white population confined to the narrow spot which I have mentioned, and one not so extensive at Vincennes, was unable to expand itself, or to receive an accession of strength from emigration. There are many persons now resident in the state who know the unceasing exertions I made to extinguish the Indian title and promote the settlement of the country; and the obstacles by which I was opposed, were much greater than were generally known. All, however, know that the purchase of one section of country, although fairly made of the tribes which possessed the exclusive titles, had produced a fierce and tedious opposition upon the part of others, which was only terminated by a contest resulting indeed in victory to us, but in a victory obtained by a profusion of our most precious blood. In relation to the purchase of this particular district, it is perhaps not known to any of the present company, that it was made without any instructions from the government—upon my own responsibility, and that I was the sole negociator in thirteen treaties for the extinguishment of the Indian title in Indiana, Illinois and Missouri, previously to the late war. By anticipating the instructions of the government in the instance I have mentioned, the settlement of this part of the state, and your own fair town, was commenced several years before it would otherwise have been.

In reference to my political course, which has been honored by your approbation, permit me to say that my opinions have undergone no change. Indeed, further reflection and the opportunity I have had of observing the deplorable situations of other countries which have not adopted the principles for which we have so long and so strenuously contended in the councils of the nation, have confirmed me in the necessity of adhering to them. Colombia, the country in which I have lately, for a short time, resided, like her former sister colonies, was rich in the possession of the precious metals. At the close of the revolution, vast hoards of gold and silver were in the possession of her citizens. Her mines of the former were, and still contiue to be productive, but the eternal demands upon these to supply the deficiency of a foreign commerce with a nation which reciprocates nothing and monopolizes all, has reduced her, for her domestic circulation, to a debased coinage, forced upon the people at the point of the bayonet. Such, or worse, is the situation of the other countries of South America, as well as Mexico; and such will be the case with every other country which purchases foreign fabrics to a larger amount than she can, or is permitted to pay for in her own products. It was this fatal policy which reduced the parent country of Colombia from the highest rank amongst the powers of Europe, to be scarcely one of secondary power. In vain did she monopolize the commerce of her vast colonial possessions; in vain did they pour the unexampled product of their mines into her lap; it was received only in *transitu* to the coffers of a wiser nation, who received it in payment for the protected industry of her subjects. Yes, the riches produced by the immolation of so many human beings in the bowels of the Andes, and for which Spain is to answer at the bar of a just God, produced no advantage to her; but went to aggrandize a hated rival, and furnish the means to that rival of reducing her own once Colossean power to comparative insignificance.

The provision growing states of our union were placed, in relation to their commerce with England, precisely in the situation that Spain had been at the period of which I speak. Receiving none of their products, those states were compelled to pay for the immense amount of British goods which they annually purchased, exclusively with the precious metals. Whatever of these were collected by the industry and enterprise of the citizens of Ohio and Indiana from other quarters, remained with us but for a moment, and were immediately sent off to pay for articles, for the fabrication of which we possessed all the means within ourselves. The consequences were what we all remembered. Our produce remained rotting in our hands. No one could sell his real estate to pay his debts, for no one was willing to buy that which yielded no return. The remedies for these evils were obvious to all. Great Britain must be induced to admit the products of our farms into her ports, to a fair competition with those of her own, as an equivalent for the privilege of being permitted to send manufactures to us. Or the latter must

be gradually excluded from our ports, by the imposition of heavy duties, until we should be able to make them for ourselves. But the suffering states had no power over these matters. The constitution had vested the entire control over foreign commerce in the legislature of the union. To that body, then, our grievances were presented, and the tariff, as it is, was the result of their long and deliberate investigation. It is distressing to find that our southern brethren look upon a measure so necessary for us, as pregnant with fatal effects to them and not warranted by the compacts which unites us. And it is still more afflicting, that in one of the states counteracting measures should be spoken of, which breathe any thing but that attachment to the union and to the public good, for which she has ever heretofore been distinguished.

The people of South Carolina do the greatest injustice to their brethren of the tariff states, if they believe that that measure was adopted in a spirit of hostility, or even of indifference, to their interests. It was advocated by the former upon the ground of present necessity to them; even if of partial and temporary inconvenience to some, of ultimate and paramount benefit to all. As far as we know or believe, the tariff has answered our expectations of benefit to us, and, with a willingness to be convinced of our error in relation to its injurious effects upon our southern brethren, if such is the fact, we have been unable to discover any evidence that it is so. On the contrary, it is believed that their embarrassments can be distinctly traced to other causes. But, under any other circumstances, South Carolina has every thing to expect from our justice and our affection for her; nothing from her threats or our fears. I believe that the continuance of the tariff is essential to the prosperity of the western states, but I should be amongst the first to propose its modification, or repeal, if it is found to produce to the southern states the ruinous consequences they predict. No honest man can enjoy a prosperity founded upon the sufferings of a friend and brother.

The object of our system is to procure a home market, as well for our provisions as for the raw material, so abundantly raised in the southern states. Can there be a doubt of the superior advantages of one of this description, to any that a foreign commerce could supply? The former would be subject to few casualties; the latter to be constantly interrupted by all the causes which change the policy of nations—by their passions and prejudices, as well as by their interests, real or supposed. If this is true as a general principle, is it not recommended to our adoption, at the present moment, with peculiar force? Has Europe, and particularly those countries with which our southern brethern are desirous to keep up extensive commercial intercourse, ever presented an aspect more portentous of commotion, if not of revolution? In such circumstances, does not prudence seem to dictate the placing of our market upon a footing as independent as possible? to look to home for all that home can give?

I have adduced from the situation of Colombia, an argument in favor of our adherence to the tariff. One, equally strong is to be derived from the same source, to shew the necessity of persevering in our great principle —the improvement of the country by roads and canals. Would it be believed, that, in all Colombia, there is not a road upon which a wheel carriage can travel for a single mile but in a circuit round the walls of their principal cities? The consequence is that the price of an article, raised in one part of the country and necessary to the subsistence of another, is advanced in a carriage of even fifty or sixty miles, upwards of one hundred per cent. A tariff, of the most rigorous character, would give no relief to a country thus situated. A few facts will prove this. In the flat country upon the sea-board, wheat cannot be raised, but, in the elevated table lands of the interior, it grows with great luxuriance. The plain of Bogota is of that description, and a considerable district, of the same character, is to be found in the vicinity of Merida. The main branch of the great Magdalena, of easier navigation than the Mississippi, approaches within thirty-five miles of the former, and the noble lake of Maracaibo penetrates the country to within twice that distance of the latter. At or in the vicinity of the mouth of the Magdalena, are the cities of Santa Martha and Carthagena, 150 miles above the mouth is the city of Mompox, and, at the out-let of the lake of Maracaibo to the ocean, is the city of that name; and yet all these cities receive their supplies of flour from New York, Baltimore and Philadelphia.

The farmers of Colombia cannot complain that the preference given in their own markets to the American flour, is occasioned by the neglect of the government to protect them by duties. The duty has been always above three dollars on the barrel, and during the late Peruvian war, it was raised to eight dollars and fifty cents; a sum above the average cost of the article in the American ports. Still, however, the American flour meets with no competition with that of Bogota and Merida, from the neglect of the government to provide roads to transport it to the navigable waters. Nothing can prove more clearly than this fact, that an adherence to our system of internal improvement is necessary to give its proper effect to the tariff.

I must ask your indulgence, Mr. President, to make a few remarks upon a political heresy, which has lately sprung up "amongst us," of a character calculated, in my opinion, to make the most fatal inroads upon the constitution of this country. I allude to the test that is required of the candidate for state offices—not of their political principles—not of their opinions upon any particular measure which may be in agitation for the benefit of the people—but, exclusively, of their adherence to this, or that man, who is or may be a candidate for the presidency of the United States. This question must be answered satisfactorily to the person who proposes it, or the claims of the candidate, however well founded in other respects, will be instantly rejected. No matter how long, how faithfully, or how successfully, he may have served his country, it will all be considered as dust in the balance, unless he will pronounce the pass word of a party, and promise the most faithful and entire devotion to its will. What is so likely to break down all the barriers between the general and state governments, and to bring the latter under the entire control of the former, than a course of this kind? The wisest of our statesmen have considered the independence of the state governments, in the sphere of action left them by the constitution, as necessary to the preservation of our liberties. But let us get into the habit of electing the state officers upon the ground of their subservience to the executive of the union, they may be still sentinels upon the walls, but in the language of your toast, they will cry "*all's well*," when the enemy is already "at the gates." It may be said that the election of a person to a state office, upon the ground of his being personally favourable to the executive of the United States, does not necessarily imply that he will be subservient to his views. But who that is acquainted with the weaknesses of human nature will believe this? If the governor of a state has obtained his election, and depends for his continuance in office upon the favor of a party devoted to the president, what independence can be expected from him? Is it not obvious that the leaders of such a party will always be the high officers of the general government, the distributors of the immense patronage of that government, and the ministers of the president's will? Can any doubt, that all the important movements of the party, will receive their impulse from this source, and that the appointment of the state officers will be as completely under his control, as if he were legally invested with the power to make them?

The enemies of the internal improvement system, have accused us who support it, of having given a construction to the constitution, which will eventually concentrate all the powers of the states in the hands of the general government. I cannot subscribe to this opinion. But if it should be so, it must be by slow and imperceptible progress, and its final accomplishment effected, after many generations have passed away in the enjoyment of every blessing that the most perfect government which has ever yet been devised, can bestow. But let us go on but a little while in the course which has already made such progress in some of the states, and it will be useless to talk about a construction of the constitution, investing the general government with powers that *may* become dangerous, the state governments will be found already to have been virtually broken down, and the dreaded consolidation already effected. Nor will the powers thus transferred be carried to the com-

mon fund of the general government, but to a department of that government, already clothed with powers which are not possessed by some of those who sit on splendid thrones.

For the very flattering terms in which my services are mentioned in the toast which has been given, and received with so much approbation by the company, I am at a loss for words to convey my gratitude. But believe me when I say, that the warmest attachment to the people of Indiana, will never cease to animate me to the latest moment of my existence.

SPEECH OF COUNT SIMEON.

Count Simeon, chairman of the committee appointed to take into consideration the letter addressed to the president by prince de Polignac, rose and addressed the chamber of peers to the following effect:—

Gentlemen: The grand and terrible event which has just changed the entire face of France, has given rise to the arrest of several of the ministers of the late government, members of the chamber of peers or of the chamber of deputies, who are protected by articles 29 and 44 of the charter. The former article declares that no peer can be arrested without the authority of the chamber; the latter that no member of the chamber of deputies can be arrested or prosecuted in criminal matters during a session, unless taken *en flagranti delicto*, until after the chamber has granted its permission. The penal code awards a severe punishment to an infraction of this constitutional degree, unless in the case of *flagranti delicto*, or *public clamor*. This guarantee, which no doubt prevented the local authorities proceeding beyond the mere arrest and detention *warranted by the public clamor which existed*, is that which the prince de Polignac claims by his letter of the 12th instant from St. Lo, addressed to the president of this chamber. The minister of justice has also considered it his duty to acquaint the chamber with the arrest and detention of the prince de Polignac at St. Lo, and the count de Peyronnet at Tours, in order that, in consequence of the impeachment against them, proposed by the chamber of deputies, the chamber of peers in its wisdom may take such measures as to them may seem meet. The letter of the minister of justice to the president of this chamber, dated the 21st instant, together with that of the prince de Polignac, were referred to the committee, as whose organ I have the honor to make a report to you upon the subject. The committee conceive that there were two questions for their consideration: 1. Whether the guarantee could be claimed?—2. If it could, what measures the chamber ought to adopt? Upon the first question we do not think that the responsibility attached to the office of minister, deprives ministers who are peers or deputies, of the guarantees granted to them by the charter. Every minister who is a peer or deputy is liable to be called upon to take part in the deliberations of the chamber of which he is a member. They must not, therefore, be prevented by any arrests which the officers of justice may allow themselves to execute, sometimes through an excess of zeal, and at others with a culpable view, in order to prevent a peer or deputy, whether minister or not, from taking a part in a discussion in which their influence is feared. This guarantee is given less to the person than to the public good, to the freedom of debate, and the regular march of the government. It is sufficient for the purposes of justice, which are the power of apprehending any person accused of a crime or offence, the peers or deputies may be arrested without any express warrant from their respective chambers if found in *flagranti delicto*, or where a public clamor exists, in such cases the arrest is urgent, necessary and just, subject to explanations which may cause it either to cease or to be maintained, according to the decision of the chamber to which the person arrested may belong. There is in our opinion the less doubt that the quality of minister does not deprive a peer or a deputy of the protection which belongs to him as such, as according to art. 21 of the penal code this protection is guaranteed to ministers who are not either peers or deputies. This being admitted the next question is, what steps ought the chamber to take in this case? If a peer or a deputy were arrested and detained for a slight cause, or upon weak or doubtful evidence, we should unquestionably insist upon the protection granted to him. But the prince de Polignac has been arrested in consequence of a public clamor, which has pursued him by reason of acts which may bring upon him a vast responsibility.

We have been officially informed that the chamber of deputies is preparing an act of impeachment against him; and who, under such circumstances, could entertain a thought of sheltering him from so high an accuser? It appears that the prince de Polignac considers himself as not guilty, since he asks permission to retire abroad. It is not by a hasty liberation, which would amount to an escape, that he ought to obtain the power of doing so. He has the right, as it will be his duty, to defend his innocence; he will be allowed every means, and will be tried by upright and impartial judges: but to set him at liberty would be the greatest and at the same time the most incredible denial of justice that can be conceived. Since he is under arrest, it is impossible not to suffer the law to take its course, and pronounce upon his guilt or innocence. We have no need, as some noble peers think, to be formed into a court of justice to come to a decision upon the application of the prince de Polignac. We shall not be executing a judicial act; we shall be merely refraining from demanding in his favor the constitutional guarantee. We are not about to issue a warrant against him; we shall be merely authorizing a detention, which, in fact, has not been made by any order of ours; we allow it to be available because it has been called for by public clamor, imputing to him grave and recent serious offences. We grant this authority, not as judges, because there is not as yet any form of process, but as members of one of the two chambers, each of which has the right of putting an end to a detention made without its consent. I have not made any mention of M. de Peyronnet, because he has lost, by article 76 of the charter, his right arising out of the character and quality of a peer. The impeachment with which he is threatened will nevertheless be judged by this chamber, for the two-fold reason that the misdemeanors imputed to him were committed when he was a peer, and because all impeachments brought by the chamber of deputies against a minister must be tried before the chamber of peers. But it does not belong to us to authorize his detention, since he is no longer a peer. He himself tacitly acknowledges this by not making any appeal to us, as the prince de Polignac has done, with whose arrest alone we have to occupy ourselves. With regard to him, I have the honor to propose the following resolution:

"Having considered a letter signed prince de Polignac, written from St. Lo, dated the 17th of August, and addressed to the president of the chamber of peers, by which, after announcing that he was kept in detention, he claims the benefit of article 20, of the constitutional charter, promulgated the 14th instant.

"Having considered the letter of the minister of justice, dated the 21st inst. by which he informs the chamber that the prince de Polignac had been arrested at St. Lo, and the count de Peyronnet at Tours, in consequence of public clamor, as authors of acts, which form the matter of an impeachment at this moment proposed to the chamber of deputies, and by which he invites this chamber to take such measures as it may think fit: This chamber has come to the following decision:

"In conformity with art. 29 of the constitutional charter, the chamber of peers authorizes the arrest of the prince de Polignac, made at St. Lo.

"As to the arrest of the count de Peyronnet, made at Tours, after considering article 78 of the charter, the chamber declares that there are no grounds for taking it into consideration.

"The chamber of peers charges its president to transmit this decision to the minister of justice."

The proposition was adopted.

POLITICS OF THE DAY.

The following *witty* and *chaste* article is copied from the "New York Courier and Enquirer" of the 9th inst.

Maryland Elections.—Political Paul Cliffordism. The coalition are rejoicing very much at the Maryland elections. We rejoice as heartily as the best of them. The loss of Maryland will do us good. The loss we anticipated—for the reasons of it are as plain and palpable as the sun at noon day.

Maryland is a clamorous, selfish sister, and her conduct will open the eyes of the other states of the union, and particularly those of Pennsylvania, Ohio and all New England. The rail road and other internal improvements commenced and projected in Maryland, have occupied the attention of that state for some time past. Almost every man who had a dollar to spare, invested it in these projects; and those who had not, begged and borrowed, to enable them to do so. They launched forth in these measures, beyond their ways and means—in the face of reason and experience. The spirit of speculation tinctured their whole movements. Every public man, every M. C. that could be caught on his way to Washington, was huddled into a rail road car—road up and down—through the deep cut, the great cut and the long cut, as we do the ricketty babies on the battery. His pulse was felt, his heart touched, and his pocket—no, not picked, but pretty near it. He was questioned and teased, and perplexed with their rail roads. Is it not "admirable?" "splendid?" "glorious?" If a member of congress, his vote was openly asked for an appropriation to aid them in their projects. No matter if his own state had paid for all its own improvements, these political beggars shook their rags in his face, and boldly asked for alms. Maryland was next door to Washington, it had always tasted congressional pap, frequently got the dyspepsia, from a surfeit of it; it liked the mutton of Uncle Sam—"cause vy," as Dame Lobsey says, it cost nothing; it hungered and thirsted, and boldly put its hand into the public purse. It was a political Paul Clifford—an Augustus Tomlinson—a mere Ned Pepper.

But the republicans in congress, and particularly Andrew Jackson, wished first to pay the national debt, before the people of twenty-three other states should be saddled with taxes to pay for the improvements of Maryland. And for this independent and patriotic conduct, has Maryland thrown herself into the arms of the coalition. If such palpable selfishness rules the politics of that state, we are glad to get rid of it. It is not worth having. It may return to its old federal doctrines and sit cheek by jowl with little Delaware. New York constructs her own internal improvements, and so far as her influence goes in congress she will teach Maryland to do the same. Yet we are not without bowels of compassion. If Maryland can give us good tangible security, let her send on a deputation to Wall street. We'll engage to furnish her capital to complete all her works, at a very cheap rate of interest. N. B. A bond and mortgage on all their rail roads wont do for this loan. We must have good security. If this negotiation could be effected, we have no doubt we shall see Maryland return to the firm democratic faith. These sugar plumb politicians are however not worth much. Let her have physic hereafter.

CIRCULARS TO THE COLLECTORS OF THE CUSTOMS.

West India trade. The New York Post publishes the following circular from the treasury department, relative to the British West India trade:—

Circular to the collectors of customs.

Treasury department, Oct. 6, 1830.

SIR,—You will perceive by the proclamation of the president, herewith transmitted, that, from and after the date thereof, the act, entitled "an act concerning navigation," passed on the 18th of April, 1818, an act supplementary thereto, passed the 15th May, 1820, and an act, entitled "an act to regulate the commercial intercourse between the United States and certain British ports," passed on the 1st of March, 1823, are absolutely repealed; and the ports of the United States are opened to British vessels and their cargoes, coming from the British colonial possessions in the West Indies, on the continent of South America, the Bahama islands, the Caicos and the Bermuda or Somer islands; also from the islands, provinces or colonies of Great Britain on or near the North American continent, and north or east of the United States. By virtue of the authority of this proclamation, and in conformity with the arrangements made between the United States and Great Britain, and under the sanction of the president, you are instructed to admit to entry such vessels, being laden with the productions of Great Britain or her said colonies subject to the same duties of tonnage and import, and other charges as are levied on the vessels of the United States, or their cargoes, arriving from the said British colonies; You will also grant clearances to British vessels for the several ports of the aforesaid colonial possessions of Great Britain, such vessels being laden with such articles as may be exported from the United States in vessels of the United States. And British vessels, coming from the said British colonial possessions, may also be cleared for foreign ports and places, other than those in the said British colonial possessions, being laden with such articles as may be exported from the United States in vessels of the United States.

I am, sir, very respectfully, your obdt. servant,

S. D. INGHAM, *Secretary of the treasury.*

Treasury department, October 8th, 1830.

SIR: Inquiries having been made as to the construction of the first clause of the third section of the act of the 29th May last, "for the more effectual collection of the impost duties," some further explanation of the views of the department on the subject may be necessary.

The law prescribes that, from and after the 30th of September, 1830, whenever goods, of which wool or cotton is a component part, of similar kind, but different quality, are found in the same package, if not imported from beyond the Cape of Good Hope, it shall be the duty of the appraisers to adopt the value of the best articles contained in such package as the average value of the whole.

The first point upon which explanation has been sought is, as to the kind of goods embraced in this clause. The words of the law, however, are so clear and comprehensive as to show no exception was intended by the legislature which is not expressed—unless there be articles, of which wool or cotton is a component part, that are not liable to an ad valorem duty. As no other than ad valorem goods are subject to appraisement, it is presumed that these only are embraced in the clause.

The second point is as to the size of the package. As this is not fixed by law, and as it might cause great inconvenience to require goods of every description to be put up in packages of the usual size, each containing articles all of the same value, it was deemed within the proper powers of the department, and in conformity with the intention of the act, to authorize a diminution of the size of the package as a substitute for the assorted packages, which were before used for the convenience of trade in the importation of certain descriptions of articles. But neither the terms of the act, nor the common acceptation of the word package, will admit of its being considered synonymous with the words article or piece. It was therefore, not the intention of the department, by the instruction of the 16th of June, to authorize the putting up of goods in single pieces, under the denomination of packages.

In the construction given to the meaning of the term package, the department has sought, as far as might be consistent with the intention of congress, to conform the operation of the law to the customs of trade among fair dealers; and it is believed, that the circular of the 16th of June will have removed all difficulties. But, if any attempts be made, under color of the construction therein given, to violate or evade the law, the party making such attempts will subject himself to the penalty of the 4th section of the act, which provides that "if any package or invoice be made up with intent, by a false valuation or extension, or otherwise, to evade and defraud the revenue, the same shall be forfeited."

If it be found that the time fixed in the act, (30th September, 1830), for carrying into effect the provisions of the 3d section will have allowed too short a notice to all who may be affected by it, congress alone can grant relief. But it may be proper, in the mean time, to adopt measures for ascertaining at the respective custom houses when the goods are appraised, the amount of the increase of duty which may accrue from the average upon the best articles in each package, as to all goods ordered before the promulgation of the act. For this purpose you will, in all cases where the duty has been, or may be charged upon such goods according to the value of

the best articles contained in the package, cause all such goods to be examined and appraised in the same manner as if they had not been subjected to duty on such valuation, and will cause a register to be kept of such appraisement: so that if congress should see proper, the duty may be charged accordingly. This proceeding, however, is not in any way to interrupt the execution of the 3d section of the act in the meantime; but the duties on all such articles are to be charged and paid, or secured, in the same manner, as if no such appraisement as is herein directed had been made. This additional appraisement may be discontinued at the close of the present year. I am, respectfully, your obedient servant,

S. D. INGHAM, *secretary of the treasury.*

To the collector of the customs.

THE NETHERLANDS.

The surface of the United Kingdom of the Netherlands forms about the 115th part of that of Europe. It is about one-ninth of France and two-sevenths of the island of Great Britain. The roads and canals cover a twenty-sixth part of the kingdom. In 1827 the population was 6,116,935, and exceedingly dense. The average annual addition for the five years preceding 1828, was at the rate of 10,982 per million. The agriculture of the Netherlands has long been distinguished for its productiveness, variety, and good methods. The total value of the agricultural capital has been estimated at £433,153,333 sterling; and the net yearly produce of the agriculture at £16,698,390. Manufactures, the metallurgic arts, and distilleries, are in a very flourishing condition. There are three hundred distilleries at *Schiedam*, one hundred in other parts of Holland, and about forty in the other northern provinces. The annual produce of this branch of industry is valued at thirty-four millions of francs.

The sum of the manufacturing industry of the Netherlands is believed to be about £28,125,000 sterling per annum. There are in progress great undertakings for internal improvement. The canal which is to connect the Meuse and the Moselle by a course of fifty leagues from Liege to Wasserbilling, is said to be "one of the principal speculations in which his majesty of the Netherlands is a partner." An association has been formed with a capital of six millions florins, for draining the lake of Haarlem, which covers a surface of 50,000 English acres. The most active agent in this gigantic enterprize is M. de Stappers, the inventor of a new pump intended to be used in it, which emits water without being moved by the common method of pumping, but by the pressure of steam, wind, or animal force.—It raises 1,000 cubic feet per minute.

The public debt of the Netherlands is stated at 3,800,000,000 francs, including the old debt, which does not carry interest; the debt which is really a burthen, is of 1,664,699,000 francs, about 250 francs to each individual of the kingdom. The budget is not submitted to the chambers annually, but once in ten years. The obnoxious *mouture* was a tax on the grinding of corn, not very heavy in itself, but offensive as levied on the first necessary of life, as requiring the constant presence of tax-gatherers at the mills, and above all, from the aristocratic prerogative which it implied and in which it originated. The charge for the army is for about forty-two thousand troops; the navy consists of ninety-three ships, of which thirty are in active service, carrying 720 guns and 4,314 men. The charges for religion amounts to about £252,056 sterling, distributed among all the denominations except Jews.

The Netherlands have a circulation of 60,000 sheets of newspapers a day, and are thus according to authentic calculations, better supplied with journals than France or England. The newspapers are conducted less as commercial speculations, than for political purposes The liberal journals are chiefly in the hands of young literati of talents and zeal: the ministerial are directly patronized by the government. Elementary education is very general; in 1826, out of 3,938 *communes*, there were only 684 without schools: the children who frequent the schools are as 100 to 947 inhabitants, a proportion exceeded in no country in Europe, unless it be Prussia. The six universities are in every way flourishing. The total number of students in them is not much less than three thousand. There are fifty saving banks, and one hundred and twenty-four *Mons de Piete.* The establishments for the poor, and the charitable institutions, generally, are excelled by those of no other nation in Europe, either in their extent and efficacy, or the manner of their administration. [*Nat. Gaz.*

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As the kingdom of the Netherlands, is of comparatively recent formation, and its geography may not be familiar to many of our readers, we here insert a brief description of it from Worcester's gazetteer of 1823:

Netherlands, km. Europe, constituted in 1814, and consisting of 18 provinces; 7 Dutch, formerly called the seven United Provinces or Holland, viz: Holland, Utrecht, Zealand, Guelderland, Overyssel, Friesland; and Groningen; 1 German, viz: Luxemberg; the other 10 Belgic, formerly called the provinces of Belgium, or Netherlands. The Romans called this country *Belgium*, or *Gallia Belgica;* the French call it *Pays-bas;* the Spaniards *Pays-baxo;* the Germans *Niederlande;* and the English *Netherlands*, or *Low Countries*, so named from its situation with respect to high Germany. Population in 1817, 5,226,859, square miles, 24,337.

Provinces.	*Popu.*	*Sq. M.*	*Capitals.*
North Brabant	294,111	1,744	Bois le Duc
South Brabant	441,422	1,404	Brussels
Limburg	292,187	1,480	Mæstricht
Guelderland	243,077	2,018	Arnheim
Liege	354,050	2,173	Liege
East Flanders	600,184	1,042	Ghent
West Flanders	519,400	1,442	Brugess
Hainault	430,166	1,683	Mons
Holland	747,666	2,088	Amsterdam Hague
Zealand	111,108	588	Middleburg
Namur	156,375	916	Namur
Antwerp	287,347	1,015	Antwerp
Utrecht	107,642	504	Utrecht
Friesland	176 554	1,052	Lewarden
Overyssel	147,228	1,293	Zwol
Groningen	135,641	778	Groningen
Drenthe	46,479	788	Assen
Luxemburg	225,845	2,292	Luxemburg

Towns.—The Hague and Brussels are the two residences of the king and his court. Amsterdam, Antwerp, and Rotterdam, are most considerable commercial towns.

Government.—The government is a limited hereditary monarchy. The constitution was formed in 1814, and bears a close resemblance to that of Great Britain. The parliament is composed of two houses. The lower house consists of 110 members, elected for three years by the people; the upper house consists of not less than 40, nor more than 60 members, 40 years old or upwards, named for life by the king.

Religion.—The established religion of the Dutch provinces is the Calvinist, and of the Belgic provinces the Roman Catholic, but all sects are tolerated. In the Dutch provinces the dissenters are numerous, and all the clergy, whether Calvinist or dissenting, receive their salaries from the public treasury.

Finances, &c.—The annual expenditure is nearly £7,000,000; the revenue about the same, the national debt £140,000,000, stock generally at 2 or 2½ per cent. The military force 50,000 regulars; the marine 12 sail of the line and 24 frigates.

Foreign possessions.—The foreign possessions are, 1st, in Asia, Java, Amboyna, Banda, Ternate, Malacca, Macassar, and factories in Coromandel and Persia; 2d, in Africa, 13 small forts on the coast of Guinea; 3d, in South America, and the West Indies, Surinam, and the islands of Curracoa, St. Eustatius, and St. Martin.

Trade and manufactures.—The Netherlands have for several centuries both in trade and manufactures, taken the lead of the neighboring states. Their linens, lace, woollens, leather and silks, were known several centuries ago throughout Europe. Holland was formerly the emporium of the East India trade, but has lost much of its commerce since its connexion with France.

NILES' WEEKLY REGISTER.

FOURTH SERIES. No. 10—VOL. III.] BALTIMORE, OCT. 30, 1830. [VOL. XXXIX. WHOLE No. 998.

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT $5 PER ANNUM, PAYABLE IN ADVANCE.

☞The supplement to the last volume, containing the debates on Mr. Foot's resolution, not included in the REGISTER, proper, has been forwarded, (or is prepared to be forwarded, in the manner directed), to all who have ordered it. A small number of copies yet remain to be disposed of; and, if not speedily taken up, will be offered to any, other than subscribers, who may wish to have them. Those therefore, who preserve files of this work, (and for *their* accommodation this supplement was printed—not with a view to profit in the job), will do well to apply speedily. We would not disappoint any, but desire to be speedily reimbursed the expenditure that we have made.

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An account of the premiums awarded at the late fair of the American Institute, at New York, will be found in the present sheet. It is highly interesting, as shewing the progress of the arts in the United States—but to estimate that progress rightfully, the various articles exhibited should have been seen. In general, their quality was superior, and their price more moderate, than such articles cost before they were "*taxed*" by the tariff laws. But party excitement requires, that TRUTH should not be "admitted" by the opponents of a system, which produces a ten times greater value to the nation than that of all the *planting* businesses combined, without at all regarding the incalculably valuable market that it affords to American farmers and landholders. Take a solitary case in respect to the latter—I know a district, say of four miles square, in which all the land fitted for cultivation is valued at not less than 150 dollars an acre. It has no particular advantage in itself, nor is its population crowded, except because of two small manufacturing villages located within it—lots near which have sold at 300 dollars an acre. The land does not yield more, because of its neighborhood to these villages—but is more profitable, on account of the ready market afforded for small things that would otherwise be wasted, or neglected. It is not intended, however, to do more than direct attention to this important subject, just now. A supplementary essay to the "Politics for farmers" may be soon expected, wherein the effects of the system shall be further demonstrated. I have some simple ideas of "political economy." I think that an "old lady of 80," who knits 30 pairs of stockings a year, worth 30 dollars, adds just as much wealth to the country, as the most enterprizing planter who produces a bale of cotton, worth the same sum. The people will find out this grand mystery, after a while; as well as wonder that the buttons, lace, women's bonnets and hats, artificial flowers and a few other *important* things, sell for more money than the boasted crop of the whole *nation* of South Carolina, which would "nullificate" the union, (if her chief spouters and scribblers may be believed), because of the *immensity* of the value of her exports to England! Why—the *whole* cotton crop of the United States hardly pays the bills of our boot and shoe-makers! We would not depreciate the value of that crop—we acknowledge its importance in the domestic business and foreign trade of our country—but it is greatly behind the aggregate worth of our manufactures of *leather*, only, and employs but a small comparative number of the *people* of the United States.

To return to the subject. The editor ought to have returned his thanks, in the last REGISTER, for the kindness that was extended towards him by a large number of persons, during his late visit to New York, having been invited to attend the fair. He received also the compliment of a coat-pattern of the no. 1, premium cloth, made at the Glenham factory, Dutchess county—thought to be the finest ever manufactured in the United States. The wool was imported from *Leipsic*—the object of the high-spirited proprietors being to establish the fact, that, out of the same materials, American men and women were inferior to no other in skill. The experiment has succeeded, and the cloth was the admiration of all who examined it, though offered at only 12 dollars a yard.* The pattern may be seen at the office of the REGISTER, as well as some other highly interesting specimens of our manufactures—particularly an article called *Beverteens* (made out of *American cotton*), for the use of hard-working men—the quality and price of which may cause some to "feel a little red"—to blush, if blush they can, who have so *feelingly* spoken about "taxing the poor," for the benefit of over-grown capitalists, *and so forth*. These goods are so twilled and lapped and worked together, that the costly power-looms, in which they are woven, make only about four yards a day. They feel like a skin, and will wear as long as the humblest laborer can desire that they should do. And machine-power goes so fully into the fabrication of Beverteens, that, until a cubic foot of water in the United States shall be less powerful than one in Great Britain, we may not fear a want of cheap and comfortable clothing for "the poor"—if disposed to clothe themselves cheaply. The appearance of the cloth, too, is much more decent than any other of like cost and durability. It may not be fitted for the snow-clad hills and icy mountains of the north, but is well adapted to take the place of what are called "negro cloths," at a much less price, and will last twice as long as the flimsey stuffs imported for the use of slaves. The supply is not yet large, but rapidly extending; and, with the *calico printing*, will do much to relieve the cotton-spinners, without injury of other classes of the community, the *wisdom* of congress, and especially of the southern members, having nearly destroyed the manufacture of coarse woollen goods, by an exorbitant duty on such wool as does not come into competition with the product of our own flocks, whereby "negro cloths" have advanced pretty nearly 50 per cent. on the value that they had while our own people were allowed to make them!

The manufacture of calico is now a mighty business in the United States. Large quantities are already exported!—and our stores are chiefly supplied with the products of our own factories, except of the very superior qualities. Let not the anti-tariff ladies be alarmed at this. They are better than the imported, as graded by the price paid for them. The superior kinds are beginning to be made—they are of fine yarn, with fast and lively colors. A piece of which goods may be seen at this office, from the Eagle works in New Jersey, that it would not *disgrace* the finest lady in the land to wear—provided always, that calicoes are *fashionable*: an affair about which we have no right or pretention to a just judgment! But it is a beautiful article, and thousands of the ladies of N. York called it so.

I shall take an opportunity to run over the list of premiums and make some remarks on certain of the articles mentioned—when leisure will admit of it; remarking, however, that those which received the premiums, were not those which most interested me, in every instance. The committees may have had more regard to the superior quality of the articles presented, than to their real utility, compared with their price—for indeed, the *money-value* of them came not into consideration at all. I admire, as every patriot should, the perfection of his countrymen in their several pursuits—it is evidence of the power which they have to supply the useful, also, for it is easy to descend from the finer to the coarser works—but still I feel the deepest interest in the success of such manufactures as are *necessary* to the independence of the country. The magnificent vases of *silver* and *glass*, fitted for the tables of kings, exhibited at this fair, astonished by their beauty; but in a humble corner of the hall, I discovered specimens of works in *iron*, rough

*But the *whole* piece would not have sold at that rate—divisions of it being desired.

and unpolished, that afforded more solid satisfaction—not calculated for display, but indispensable.

PENNSYLVANIA. The following is given as a corrected list of the members of the present and ensuing delegation in congress from this state—

21st congress.	22d congress.
James Buchanan	William Heister
Thomas H. Crawford	Thomas H. Crawford
Richard Coulter	Richard Coulter
Harman Denny	Harman Denny
Joshua Evans	Joshua Evans
James Ford	James Ford
Chauncey Forward	George Burd
Joseph Fry, jr.	Henry King
John Gilmore	John Gilmore
Innis Green	John C. Bucher
Joseph Hemphill	Henry Horn
Peter Ihrie, jr.	Peter Ihrie, jr.
Thomas Irwin	Andrew Stewart
Adam King	Adam King
George C. Leiper	David Potts, jr.
Alem Marr	Lewis Dewart
William McCreery	T. M. T. McKennan
Daniel H. Miller	John G. Watmough
H. A. Muhlenberg	H. A. Muhlenberg
William Ramsay	William Ramsay
John Scott	Robert Allison
Thomas H. Sill	John Banks
Samuel A. Smith	Samuel A. Smith
Philander Stephens	Philander Stephens
John B. Sterigere	Joel K. Mann
Joel B. Sutherland	Joel B. Sutherland

The political character of some of the gentlemen recently elected, does not appear fully agreed upon by opposing politicians. Six or seven are called anti-masons, and three anti-Jackson. In the present congress Mr. Sill is the only anti-Jackson member. We shall probably be able to speak more definitively of the returns hereafter.

OHIO. The following shews the members of the present and ensuing delegation in congress from this state.

Present congress.	*Next congress.*
Mordecai Bartley	Leonard Case
Joseph H. Crane	Joseph H. Crane
William Creighton, jr.	William Creighton, jr.
James Findlay	*James Findlay*
John M. Goodenow	—— *Leavitt*
William W. Irwin	*William W. Irwin*
William Kennon	William Kennon
William Russell	*William Russell*
James Shields	Thomas Corwin
William Stanberry	William Stanberry
John Thomson	*John Thomson*
Joseph Vance	Joseph Vance
Samuel F. Vinton	Samuel F. Vinton
Elisha Whittlesey	Elisha Whittlesey

Those in *italics* are given as friends of the administration. The table is not of our making out; but the reader will observe that the political character of Messrs. Kennon and Stanberry are put down as changed, because of certain proceedings of the administration. Messrs. Bartley and Goodenow declined a re-election. We expect to give some statements of the votes, &c. hereafter.

The results are not certainly known—but it appears that gen. McArthur has been elected governor of the state, and that a majority of about 15 members of the legislature are friends of Mr. Clay.

SOUTH CAROLINA. Though the returns are not all yet in, it seems fully ascertained that a sufficiency of members, favorable to a convention, have not been elected to call one—two-thirds being required for that purpose.—Will the state constitution be "nullified?"

JUDGE MCLEAN. A public dinner was given at Nashville on the 2d inst. in token of respect to the hon. *John McLean*, judge of the supreme court of the United States. George W. Campbell, esq. officiated as president, and Thomas Washington, esq. as vice president.—Among the invited guests we observe the names of judge Porter, of Louisiana, governor Carroll, and judge Catron, of the supreme court of Tennessee. The following were amongst the toasts given:

By G. W. Campbell. The bar: may it always prove a *bar* to the influence of tyranny and despotism.

By judge McLean. The memory of William L. Brown.

By judge Overton. The supreme court of the United States—the sheet anchor of the nation.

By Thomas Washington. Judge Marshall and Chancellor Kent.

To this last sentiment it was objected that two such men were too much to be contained in a single toast, and, at the suggestion of the President, it was unanimously decided, that they were worthy of a full glass each. They were accordingly separated, and cordially toasted in distinct bumpers.

After judge McLean had retired, the president gave—Our distinguished guest. Alike useful and eminent in every situation he is called to fill, endeared to us at once by the courtesy of his manners, and the assiduity and ability with which he discharged his responsible duties.

MR. PHILIP P. BARBOUR, a member of congress, having been appointed a judge of the United States court in Virginia, has been complimented with a public dinner at Charlottsville.

BISHOP CHEVERUS. There is something truly Christian and apostolical in the following anecdote of the venerable clergyman referred to, who is well remembered as for several years the pastor of the Catholics of Boston, in Massachusetts.

"Archbishop Cheverus, who participated in the downfall of Charles X. has made the following declaration: "Without approving of the exclusion pronounced against the peers named by Charles X. I am rejoiced to find my political career at an end, and I have taken a firm resolution not again to recommence it, by not accepting of any place or office. I desire to remain in the middle of my flock; and continue to practise as a minister of charity, of union and peace. I preach submission to the government, set the example, and shall continue to do so, and my clergy and myself pray with our flocks for the prosperity of our dear country. I am more and more attached to the inhabitants of Bordeaux. I am thankful for the friendship they express towards me. The wish of my heart is to live and die in the midst of them, but without other titles than those of their archbishop and their friend."

THE CHEROKEES. *New Echota, Oct. 1.* The United States' troops have again lately scoured the gold mines. At the upper mines, we understand, they arrested upwards of one hundred, including whites and Cherokees. The Indians were released on the ground, after being kept under guard one night, and peremptorily forbidden to dig any more.* The whites were driven across the Chestitee, and they also were released. At the SIX'S no Cherokee was arrested, but they were ordered to desist digging. It now appears plainly, that our *great father* considers us in the light of intruders.

A few weeks ago, the principal chief received a communication from the secretary of war, through the agent, which we presume was intended for the benefit of the Cherokee people. It has not yet been sent to us for publication. The honorable secretary says, you might as well expect to see young turkies domesticated, as to see the Indians become civilized where they are.—"True enough," says one of our Cherokee correspondents, "if you are continually setting dogs and saucy boys upon them." [*Cherokee Phenix.*

A COMPLIMENT. At a meeting of delegates from several towns in the county of Columbia, N. Y. held at the city of Hudson, on the 8th instant, Killian Miller, chair-

* Has the right of the soil already passed from the Cherokees? May they be forbidden to plant corn? If the *land* is their own, one thing may be denied as well as the other. Admitting that the *sovereignty* exists in Georgia, there must yet be *private right* in the Indian. ED. REG.

man, and Samuel Curtis, jun. secretary, the following, among other resolutions, was passed:

Resolved, That the indefatigable exertions, persevering industry, and patriotic efforts, of *Hezekiah Niles* and *Matthew Carey*, in behalf of the American system, entitle them to high rank among the benefactors of their country; and that it is the earnest wish of this convention, that they may yet see their favorite policy placed beyond the reach of the vicissitudes of party strife, or the "judicious" friendship of political speculators."

☞ The editor desires gratefully to return this compliment, and express his most earnest wishes, that the rich, and beautiful, and patriotic county of Columbia, may bountifully profit in the success of a system in which she has an interest second to no other in the state of New York. Her luxuriant fields and numerous water falls, happily fit this county for placing the consumer by the side of the producer, and the marked enterprize and lofty public spirit of the people, will yet shew astonishing results.

Effects of the system. It is a complaint in the Richmond papers, that the banks of that city have more money than they can well use. The means of the country gentlemen are said to be increasing.

We believe that such is pretty much the case every where. The "balance of trade" is now manifestly in favor of the United States—even, perhaps, as it respects England—the great banking-house and work-shop of nations. Instead of sending specie to Calcutta, Canton, &c. we send cottons goods, the product of our own soil and labor, to pay for such things as we need, and, in the abundance of specie on hand, or the short demand for it, is the ability of the banks to loan their paper, which answers all the purposes of specie, at the present time. And it cannot escape the observation of an intelligent person who has latterly passed over any considerable part of the United States, that the comforts of the people are rapidly increasing—and they will increase, unless the "system," so interesting to our prosperity, shall be "*nullificated*" by the green-eyed jealousy of a furious few, or sacrificed to *bribery* or *fear* by base or time-serving politicians; creatures of circumstances, mired in the slough of party. We do not include in this reproof the consistent opponents of the American system. We think that they are mistaken, but believe them honest; but how many are there whose *principles* on this subject depend on the prevailing fashion of the times, or the finger post ☞ of some aspiring man, into whose hands they have committed their judgment, that they may be rewarded with influence or office?

The following paragraph comes in well on this occasion:

Of 64 vessels advertised, one day last week, in the Journal of Commerce, to sail from New York, but four are for ports not embraced within the U. S. The proportion of our domestic as compared with our foreign navigation, may be judged of from this fact. The regular packets to Liverpool, London, and Havre, are not, however, included in the calculation. [*Nat. Gaz.*

"Submission men." This term is applied by the South Carolina "calculators of the value of the union," and tories, to those who love the union, and respect the will of a majority of the people of the United States. How would these adventurers and desperadoes cower and shrink beneath the indignant eye of Washington, were he yet among the living!

Sheep. The number in England is estimated at 45 millions, and, in Great Britain and Ireland, probably amount to 60,000,000—in France to 35 or 40 millions, in Spain to 15,000,000. In the United States, their number has considerably declined within the last two or three years, because of the low price and dull demand for wool—and we have heard of large flocks to which no natural increase was permitted, in the last year. In 1827, the number was supposed to be 15 millions; now, perhaps, 13 millions, and on the increase, because of the present better price of wool.

In England, the flocks are chiefly kept for *food*—but, in the United States, mainly supported for their *wool*—we speak with reference to all the large flocks—and herein is the imposing reason why the number of sheep with us has not amounted to, perhaps, 25 millions. As our population becomes more dense, the rate of consumption of sheep for food will be advanced.

Account of David Wilson. This singular individual was one of the earliest emigrants to Kentucky.—From the time of his settlement in the country, till within a few years past, he resided a few miles south of Port William at the mouth of Kentucky river, on the waters of Mill creek. The place of his abode, and his style of living, are not more remarkable, than the character of the individual himself; and all I could learn of and concerning him, is in perfect harmony and good keeping. The habitation in which he spent so many and happy days, was composed of round poles and Kentucky mud. It consisted of two apartments simply, with no outhouse or cellar. During his residence in this singular place of abode, he became the husband of five wives, and the father of forty-six children.

According to his own account of himself, he was born in New Jersey, in the year 1728. He is in height about five feet six inches. His muscular frame and strength of constitution, seem to have defied the decay of years, or the hardships and buffetings of a backwoods life. The scientific and curious have examined the conformations of this singular being, so far as practicable, and they represent his ribs unlike those of his fellow-mortals, separate and distinct, but as united together, forming on each side a solid sheet of bone; in short, that the vital part is safely deposited in a "strong box," defying all attacks of foes from without.

At the age of 96 he was in the enjoyment of entire health; his teeth all sound, his weight about 160, and his muscular strength truly astonishing. He never shook hands with an athletic man, but he gave him such a grip that he was fain to beg for mercy. At that advanced age, he could perform more labor than ordinary men could in the prime of life. His neighbors mention as a proof not only of his good constitution, but of his undiminished activity, that at his advanced age he would leap from the ground, and cracks his feet together, with the agility of a boy of sixteen.

Some five or six years since, he removed to Indiana, there to build himself a new habitation, plant a new colony, and become the father of a new race. He is now living near Versailles, Ripley county, Indiana, with his sixth wife, and has two children of the new stock.

[*Balt. Farmer.*

British opinions. *From the London Morning Chronicle.* The United States of America confirm my observation. For the first ten years after the establishment of a republic, nothing could work better, and no form of government could be more admirable or complete. Men of the first talent were senators, and the congress was composed of those who had no desire to gain popularity, but only to do good. They were the wisest, the bravest, and best of men. But I will speak out without fear, and who are in no way seconded by prejudice or nationality—whether the system now works well! Has not a democracy supplanted a republic? Are not men now elected members of congress, not because they are patriotic, but simply because they are mechanics! Is it not a fact that the United States are now governed by a democracy and not by a republic? And what mean these divisions, these disputes in Georgia, these threats of separation, these civil commotions and national feuds? they are all explained by one word—America is governed by a democracy. One citizen considers one law will be beneficial to his town, to his trade, his class, his party, and he proposes a law, appeals to the democracy, and gets it passed. Another citizen in another state proposes the contrary of this—and instead of being influenced by the love of his country, they are influenced by the love of self. I might fill a volume of facts to prove the truth of this statement: but it is needless. Let Mr. Loudon and his republican friends, ask the first wealthy, intelligent, and well-educated American they meet with this question—"How does republicanism work in North America?"—and the answer will be, "we have only republicanism in theory, and not in operation—we are governed by a democracy." I will go further than this, and state that the

Americans know and feel that they cannot last twenty years longer. The states will declare themselves independent. Some will remain democratic, others will form "constitutional and limited monarchies." A republican form is too pure and perfect a system for the present state of the human mind and human society."

INTERESTING ITEMS.

Ira Woodman, late postmaster at Bethlehem, N. H. was arraigned before the U. S. circuit court sitting in that state for proloining a ten dollar bill of the Brighton bank. The case was, after some disputation, postponed, because proof was not offered in proof that there was such a corporation as the Brighton bank. Woodman was recognized to appear at the next session of the court.

General Upham against the publishers of the New Hampshire Patriot. Gen. U. removed from the office of collector at Portsmouth, was nominated for the office of governor by the "National Republicans" of New Hampshire, but not elected. During the campaign, certain letters strangely appeared, and as if forwarded from one of the public offices at Washington, charging him with having been engaged in smuggling during the time of the embargo. These letters or papers were pronounced forgeries by gen. Upham and his friends, and a suit was brought for defamation. The trial lately came on at Portsmouth—but the jury would not agree, as to some of the points urged, and the cause was continued. If the suspicions which are attached to these letters be well founded—the truth cannot be too severely sifted and indignantly exposed.

Bishop of New York. The rev. Benjamin T. Onderdonk has been elected bishop of the New York diocese, in the place of the late bishop Hobart.

The clerical votes were as follows:—Onderdonk 52; Wainwright 21; Anthon 6; Brownwell 1; Reed 1; Delancey, of Philadelphia, 8; Creighton 1; blank 1—total 91. Laity—Onderdonk 56; Wainwright 17; Anthon 7; Delancey 12; McIlvaine 1.

The rev. Dr. Stone, bishop of Maryland, was duly installed in St. Paul's church, Baltimore, on the 21st instant—bishops White, Moore, &c. assisting in the ceremonies.

Mobile.—The population of this city is 3,062—viz: white males 1,060, females 548—slaves 1,081, and 873 free persons of color.

Emigration to Canada. The Quebec Star gives the following statement of the number of settlers that arrived at Quebec, including those reported at Montreal for the last year, and for the present year to the 20th Sept. (ult.) inclusive.

	1830.	1829.
Ireland	15,149	9,614
Scotland,	2,423	2,614
Wales,	204	
England,	6,435	8,565
Irish and Scotish from Nova Scotia and Newfoundland,	240	123
Total	24,451	15,945

Three or four thousand more were expected to arrive in the course of the present season, which would give an increase of eleven or twelve thousand this year beyond the last.

George II. and his queen—Monday, 2d September, 1729, went to town. The next day we saw the queen at court; from thence we went to sir R. Walpole's in his chariot, and dined with him and his lady only. On this occasion he let me into several secrets relating to the king and queen—that the king constantly wrote to her by every opportunity, long letters of two or three sheets, being generally of all his actions—what he did every day even to minute things, and particularly of his amours; what woman he admired and took as favorites;* and that the queen, to continue him in a disposition to what she desired, returned as long letters, and approved even of his amours, and of the woman he took; not scrupling to say that she was but one woman, and an old woman, and he might have more and younger women, and that she was very willing that he should love the best of them. By which means, and a perfect subserviency to his will she effected whatsoever he desired, without which, i was impossible to keep him within any bounds.

[*Lord King's Journal.*

Remarkable hank of silk. A hank of silk, produced by a single worm, was lately reeled in the presence of several gentlemen, in Bolton, which was 365 yards in length, and on being weighed, was found to be of the texture of 15,000 hanks in the pound. A single pound of this silk would reach 716 miles. The worm was only 7 days in spinning the hank, consequently it produced at the rate of 52 yards per diem.

Trotting. The celebrated American horse Tom Thumb have again "astonished the natives" in England. Some time ago, he trotted 100 miles in a little more than 10 continuous hours—and lately he went 16 miles in 55 minutes—being allowed an hour, never breaking from his trot, and winning 500 guineas. He travelled in harness, drawing a light carriage, containing his present owner.

Chesapeake and Delaware canal. Account of vessels that passed through the Chesapeake and Delaware canal, during the week ending the 15th inst.

From the Chesapeake,	42 vessels.
From the Delaware,	55 vessels.
Total,	97

Five of the vessels from the Chesapeake were loaded with wheat for Brandywine and Philadelphia.

[*Phila. Price Current.*

Water privilege, &c. We learn from the Portsmouth (N. H.) Journal, that all the property of the Buxton Manufacturing Company, situate on Saco river, 7 miles above Saco, comprising a valuable water privilege of 79 feet head, with about 200 acres of excellent land, several dwelling houses, stores, work shops, picker house, &c. was sold at public auction, at Buxton, on the 14th inst. to Messrs. William Whitemore & Co. of Boston, for $6,000! This property has cost the Buxton company over $40,000! [*N. Y. Evening Post.*

The ruined South! The governor of Georgia, in a letter to a gentleman of Philadelphia, says:

"We have no such class as the poor. Our lands are so cheap, and the absolute necessaries of life so easily obtained, that the number of dependent *poor* are scarcely sufficient to give exercise to the virtue of charity in individuals. A beggar is almost as rare with us as a prince. Children, instead of being an incumbrance to the poor of our country, are their riches."

Fuller, a clerk in the office of the bank of the United States, who embezzeled funds to the amount of $50,000, the property of the bank, which he afterwards gave up, being lately on his trial, pleaded guilty, and was sentenced to a fine of 50 dollars and two years hard labor in the *jail* at Boston.

Quartus Morgan Webb, clerk in the post office at Northfield, Mass. pleaded *guilty* to an indictment for taking $76 from a letter carried by mail. Sentenced to *ten years* imprisonment in the county gaol, at hard labor. He was a graduate of Brown university, Rhode Island.

The great inequality in these two instances, says the Boston Evening Gazette, which apparently fixes the largest punishment for the smallest offence, arises out of the provisions of the United States laws, which, in case of a robbery of the mail, or theft in a post office, requires a punishment *not less* than the one inflicted, but in the case of a theft in the bank of the United States, or an embezzlement of money belonging to that institution, gives the judge a wide latitude of discretion.

Forgery, &c. At the present session of the circuit court of the United States, *George H Smith* was sentenced to seven years imprisonment, and to pay a fine of 500 dollars, for passing a counterfeit note and committing forgery on the bank of the United States. *Calvin J. Carpenter* was also sentenced to ten years imprisonment, and pay a fine of three thousand dollars, for passing a counterfeit note on the same bank. Judge *Baldwin* forcibly expressed the determination of the court to exert all the means within its power to suppress the commission of this crime, which had become so common in the United S ates. [*Philadelphia Inquirer.*

The prince of Conde, an old man, who acknowledged Louis Philip as his sovereign, was so tormented by those around about him because that he had abandoned the

*The words used in stating this remarkable fact, are such as compel a corruption of the text.

cause of the grandson of the late king, that he committed suicide, by hanging himself.

St. Louis—population of this city, Aug. 1830—2,503 male and 1,889 female white persons; 1,168 slaves and 287 free persons of color; total 5,852. There were two females in this city more than 100 years old.

Another gold mine. A richer gold mine than any previously discovered has just been found in Georgia, on the land of a Mr. Elrod, in Harold county, seven or eight miles from Gainesville. The Milledgeville Recorder says, by accounts, this gold mine is indeed a treasure. On the 21st September, seven hands made at this mine 205 pennyweights of pure gold, equal to about $180. It is what is called a ridge mine. The surface is almost covered with rock, which contains gold in greater or less quantities. The gold is obtained by breaking the rock.

Robbery!—Bees.—A farmer living in one of our northern towns, some weeks since, started for market with a pail containing some fifteen or twenty pounds of honey. While travelling on with his pail slung at his back covered with a cloth, by some unlucky accident the cover became loose and dropped off—the first intimation the honey merchant had of the exposure of his sweets, was a tremendous humming about his ears,—looking up he beheld a cloud of bees which had escaped from some hive, descending into his pail,—he dropped his load and retreated for assistance to secure the new found hive; but ere he returned, much to his chagrin, the bees had decamped, taking the most of his honey with them. [*Onondaga Courier, Oct. 14th.*

The Asthma. Hugo Arnot was one day, while panting with the asthma, looking out of his window, and was almost deafened by the noise of a brawling fellow who was selling oysters. "The extravagant rascal!" said Hugo, "has wasted as much breath as would have served me for a month!"

Successor of Red Jacket. A council of the Six Nations of Indians was lately held at Tonnewanda village, N. Y. for the purpose of choosing a chief, in the place of Red Jacket. "The council," says the Batavia Times, "we understand was very large. SUSAENAYA, known among the whites by the name of JIMMY JOHNSON, of the WOLF family, a *pagan*, was chosen chief."

Fire. The valuable woollen factory in Grafton, Mass. has been destroyed by fire. It was principally owned by Messrs. Peter and John Farnum, and was in successful operation at the time.

There was a great sale of thorough-bred horses, Durham short-horned cattle, valuable sheep, &c. at Harlem, N. Y. on Monday, the 10th inst. They were the property of Charles H. Hall, esq. and generally commanded high prices.

Vermont. We were mistaken when we said in our last, that Mr. Crafts had been re-elected governor of Vermont, by the legislature of the state. It was not until many ballotings that he was chosen, by a majority of only six votes—the anti-masonic and Jackson members each supporting their own candidates for the office.

The Brandywine frigate, capt. Kennedy, left Hampton Roads last week, for the Mediterranean station.

Mr. Lane's Asylum. The heir of Mr. *Francis Lee*, (Mr. Joseph Lee, jr's. father), of Boston, has presented to the M'Lane Asylum for the insane, the sum of twenty thousand dollars, subject to an annual deduction of $250 for four years, to be paid to Dr. Rufus Wyman, the physician and superintendent of the establishment. Mr. Lee, the deceased, was for nearly two years a patient in the asylum, and his father believes that no more appropriate use could be made of his property, than that which should reward the devotion of the excellent director of the institution, and increase the means of doing good, which the directors already possess.

Philadelphia. The census of Philadelphia has been nearly completed.

The city proper contains	80,311
Northern Liberties,	28,888
Other parts of the county so far as the census is completed,	58,487
	167,686

The remainder of the county is expected to give about 17,000, making an aggregate of about 185,000 in the city and county.

Baltimore and Ohio rail road stock. Some shares of this stock, belonging to the estate of a deceased person, were sold at public auction last week, for the full amount paid thereon—30 dollars, all that has yet been called in.

Fire brick. We lately mentioned that fire brick which had long sold for *seventy* dollars a thousand, being imported from *England*, had fallen to *thirty* dollars, because of the competition of the Messrs. Berry and others of *Baltimore*. We now learn that Berry's brick are so much preferred, that a quantity of the Stourbridge has been sold at New York for *sixteen* dollars a thousand, which is hardly the cost of freight and charges. The dependence on foreigners for this useful article, is thus *finished;* and we are glad to see that Berry's brick are passing into common use for fire places. They have been much improved during the present year, in the increased strength and beauty that has been given to them, by our enterprizing friends.

Mr. *Force* of Washington city, has just published "A register of the army and navy," with all the standing laws, regulations, &c. belonging to either. The work has been compiled with great care and considerable labor, and must be very valuable for all who are or have been engaged in the military service, as well as for all others who take any interest in either of the branches of that service. The work is entitled to especial patronage of the military and naval profession, and will doubtless receive it.

Mr. Force is remarkable for the accuracy of his compilations. His "National Callender" which has reached its eighth volume, presents a more correct view of the officers and affairs of the United States, &c. than the official documents themselves, and is, we believe, preferred in the public offices, for common use.

Liberal philanthropy. The Harper's Ferry Press states that Miss Christiana Blackburn of that vicinity has emancipated a family of slaves, consisting of a man, his wife, and six children, and has provided for their emigration to Liberia.

Smuggling. We learn from a friend who has just returned from Whitehall, that on Thursday last, a Mr. Delance, one of Mr. McNeal's inspectors at that place, made a seizure of twelve bales of woollens, consisting principally of baizes, which had been landed as conjectured from a boat called the Mohegan, laden with boards from Champlain. The bales were landed within less than a mile of Whitehall, in the woods, three in a place, and about $\frac{3}{4}$ of a mile from each other. Said goods are now in the hands of the collector at Platsburgh.

[*Rutland, (Vt.) Herald.*

More logwood blues. Extract of a letter from an American gentleman in England. "I have spent a day or two in the vicinity of Mr. B's establishment. This house sent to Buckley Bent the somewhat famous logwood blue cloths. The quantity made at the establishment is about 150 ends per week, besides large purchases made by the owner at Leeds, and all designed for the United States, or *Canada*, which he expects will be the same thing. From what I can learn, it will be well for your government to keep a sharp look out on the lines the next season. The subject of smuggling and cheating the American government is talked about, with great exultation, as being very successful. I have heard men make their boast of the success they have met with in evading the laws of congress. [*Boston Cour.*

Died, on the 14th August last, near Zanesville, O. major Jonathan Cass, father of the governor of Michigan, in the 77th year of his age. He was a volunteer at the battle of Bunker Hill, and a captain in the battles of Trenton, Princeton, Monmouth and Saratoga, &c. He was also a major under the command of gen. Wayne, in his celebrated expedition against the north west Indians.

Western Monthly Review. This interesting and valuable work, conducted by Timothy Flint, and published at Cincinnatti, has been discontinued for the want of an adequate support.

Battle of Tippecanoe. From the Political Clarion of Oct. 9. It will be nineteen years the 7th of next month, since the combined forces of the northwestern Indians, under the Shawnee prophet, brother of Tecumseh—were defeated by the U. S. troops under gen. *Harrison.* The battle ground lies only a few miles above Lafayette on

the Wabash, near the prophet's town—a region which was then untamed, and where the Indians had been undisputed lords from time beyond tradition. This bloody battle was principally fought before the dawn on the morning of the 7th Nov. 1811. During that day and the succeeding, the American forces remained on the battle field—interred their dead, and prepared for a return down the Wabash, which was commenced on the 8th.—A few days after the departure of gen. Harrison and his gallant army, the routed Indians returned to the field of their overthrow—tore our killed from their graves, scalped them, and left their bones to bleach on the open plain. And according to the Kentucky Gazette of that time, the Indians buried their own killed in the same graves where our honored dead had been deposited.—The bones of our countrymen laid whitening, scattered over the field until a few years ago. At which time, capt. Huntington, of Terre Haute, with a company of young men, revisited the battle field, partially collected the bones of the fallen, and inhumed them in a different place from their original deposit.

Soon after the return of the veteran Harrison from South America, we were informed of his determination to revisit the field where his valiant followers fell, collect all their remains and inter them with appropriate honors.

Changes! The three-decker now building at Cherbourg forms a page in the history of France. This beautiful vessel, when laid on the stocks in 1812, received the name of the presumptive heir of the crown of the French empire, and was called *The King of Rome*. In 1814, great was the eagerness to make every thing disappear that brought to recollection the imperial government, in particular proscribed names, and the ship was christened the *Inflexible*. Napoleon returned from Elba in 1815, and *The King of Rome* reigned again until the end of the hundred days, when the name of *Inflexible* was resumed. But when the *Child of the Miracle*, as the author of the Martyrs called him, was born, the flatterers re-baptised the vessel the *Duke of Bordeaux*. Finally, still following the fortune of France, the *Duke of Bordeaux* is dismissed from the stern, and the vessel is now consecrated to the laurels of *Friedland*.

[*Constitutionnel.*

A great blast. One day last week, at one of the quarries near Wilmington, a mass of rock weighing *one hundred and eighty tons*, was thrown off at a single blast.

Mr. Adams. Many persons having doubted whether the late president of the United States would accept the nomination for congress, the Columbian Sentinel publishes the following extract of a letter from him, dated Quincy, Oct. 15—

"If my fellow citizens of the district should think proper to call for such services as it may be in my power to render them by representing them in the twenty-second congress, I am not aware of any sound principle which would justify me in withholding them. To the manifestations of confidence on the part of those portions of the people, who, at two several meetings, have seen fit to present my name for the suffrages of the district, I am duly and deeply sensible."

Vermont senator. Samuel Prentice, anti-Jackson, has been elected a senator of the United States from the 4th of March next, in the place of Mr. Chase, whose time then expires, and who declined a re-election. Mr. P. is a decided friend of the American system. The vote was as follows: Prentice 120, Palmer 60, Hutchinson 29, Bradley 4, scattering 5—majority for Prentice 22.

Charles Young, indicted for the murder of Thomas Griffin Thornton, has been found guilty of murder in the first degree, in Caroline county, Virginia.

John McLean, a senator of the United States from Illinois, died at Shawneetown, on the 14th instant.

Maj. *John Fairlie* died at New York on the 9th inst. He entered the army of the revolution in 1775, and continued in it until the close of the war, distinguishing himself on many occasions. He was for a considerable time one of the aids of maj. gen. Baron Steuben.

FOREIGN NEWS.

From late London and Paris papers.

The printers of Paris combined for the purpose of destroying the power-presses, and had committed some irregularities—the bakers had also united to break down the machines by which bread is made without manual labor: and it was apprehended that force would necessarily be resorted to restrain them from excesses. The leading complaint of these people appears founded on a fact that we were not before apprized of—to wit, that the master printers and bakers have a monopoly, by patents or licenses issued to them, for which they have paid large sums of money. This truly, is a just cause of complaint—it forbids that spirit of competition which best subserves the public interest, and checks the advancement of enterprizing persons, not backed by large capitals. We hope that this evil thing will be put away, with all possible respect, however, to the just rights of individuals. The money paid by the employers might be refunded by the government, and the professions thrown open to all persons wishing to embark in them. The odious feature in the laws of France should be promptly abandoned.

In consequence of the proceedings of the journeymen printers, several of the Paris papers lost one or more publications, and others appeared in reduced dimensions. Lafayette had, however, interposed his good offices, and the latest accounts from Paris, September 6, say that the greater part of the printers had returned to their employments, and it was hoped that the difficulty would be quieted, by employing the engine-presses only for the daily papers of the large size.

At the same time that the subjects of Russia have been ordered home from France, the ambassador has been interdicted granting passports to French subjects, who have an intention of visiting Russia. But the belief was strong that these precautionary measures would be speedily followed by a full recognition of the new government on the part of the Russian emperor.

The following is a copy of the address of the inhabitants of London, to the citizens of Paris—

"You have bravely fought the fight of freedom!

"You have nobly won its victories! We bear you our heartiest congratulations.

"History has but few pages of untarnished glory.—She has none brighter than that of your 'glorious revolution' to convey to future ages. There may patriotism study its sublime duties, and heroism learn its highest lessons.

"We pray that the liberty which has been so triumphantly established may be perpetuated among you for ever, that under its holy auspices the dominion of peace and prosperity may become omnipotent; and while, at the foot of the altar of freedom, we would bury every vestige of strife and animosity, we here record our solemn conviction that the great interests of freedom are the great, the common interests, of the whole family of man."

In consequence of some remarks of gen. Lafayette, Mr. Mole, minister for foreign affairs, informed the French chamber of deputies, that the king had ordered him to say, that he was ready to acknowledge the new American governments, and treat with them as independent states.

The accounts before us, as to the success that attended the mission of the prince of Orange to Brussels, are so contradictory that we know not what to believe. By one statement, it would appear that he had returned to the Hague, fully satisfied with the result of his journey, in a quieting of the public disturbances—by the other, that he totally failed in gaining the respect of the people, and was in constant apprehension even for his personal safety. The king, it is asserted, yielded every point demanded; but it is asked, will the states general ratify his proceedings? The people of Brussels deserve great credit for the preservation of order, as well as for the energy with which they have acted.

It does not yet seem ascertained what course will be pursued by Austria, because of the revolution in France. As matters of precaution, perhaps, many movements of troops had been made.

Prussia has fully recognized the new government of France, in the courteous reception of the special minister sent to the king, by Louis Philip.

A high excitement is manifest in some parts of Spain—but as yet no important event has happened.

Latest news.

By the James Cropper, arrived at Norfolk, London papers of the 13th September, have been received.

It now appears that the new French government has been recognized by Great Britain, Austria, Prussia, the Netherlands and Wirtemberg—that Russia had withdrawn her interdict against the tri-colored flag, and was about to make a formal recognition of Louis Philip, &c.

The affairs of the Netherlands are yet unsettled. A separation of the Dutch and Belgic provinces seems aimed at, so far at least that each shall have its own legislative body, with a common king. The king, however, was making great exertions to pacify the people, being disposed to yield many things requested, and a hope was entertained that harmony would be restored. He has issued a proclamation of a mild and persuasive character. The people of Brussels, though fully resolved on a redress of their grevivances, were yet conducting themselves with great moderation.

Immense numbers of tri-colored flags, ribbands, cockaides, purses, braces, &c. were exhibited in the windows of the London shops.

Some symptoms of a revolution had appeared at Leipsic—but did not proceed to any considerable extent.

Spain is anxious to drive back into France, the emigrants who were returning from that country to their own, but had yet feared to execute the will on that subject.

Talleyrand has been appointed by Louis-Philip, envoy-extraordinary to the court of Great Britain. This appointment does not appear a popular one.

From Russia we learn that Mr. Randolph had arrived at Petersburg, and had an audience with the emperor. It is stated that he had already committed many extravagancies. On the 26th of August, the French vessels in the roadstead were adorned with the tri-colored flag.

There had been some disturbances at Rouen and other places in France, and a contest at Nismes between parties of Catholics and Protestants—but a general tranquility prevailed; and it would seem that all was quiet again at Paris. The king is becoming more and more popular, because of the plainness of his manners and liberal opinions.

The late Swiss guards, at Paris, appear to have been much insulted on their way home. The *hirelings* deserved nothing better—they were paid to kill or be killed—a mere money-matter.

The bey of Titery had not surrendered to the French at Algiers, but rather defied their power.

The National guard of France is estimated, at a million men.—Lafayette commands the whole.

The ex-king Charles and family remained in England, without any present apparent disposition to leave that country. He and his son had taken out shooting licences. The latter is much of a sportsman.

Large quantities of gold and silver yet arrive from Algiers.

THE FRENCH REVOLUTION.

The late events in France were celebrated by a military and civic procession in Baltimore, on Monday last—the uniformed corps turned out, and many of the trades appeared with their banners, sashes, emblems, &c. and there was general suspension of business in the city, in honor of the occasion. We have expected a particular account of the procession, &c. but it has not yet been furnished.

After having passed through several of the principal streets, the procession halted in Monument Square, to hear an oration and pass upon certain resolutions, with an address, to be proposed, &c. The stand for the orator, and the parts adjacent, were beautifully decorated. He stood between whole length portraits of Washington and Lafayette, and over his head the banner of the United States and of France, surmounted by a cap of liberty, were closely united. After the multitude had assembled, Mr. *William Wirt* rose, and delivered an oration which rendered honor even to his own lofty character as a public speaker. The field before him was large, and his masterly power was exhibited in its most graceful and pleasing form. The oration is not yet published, but we shall copy it for the benefit of our readers. After he had taken his seat, gen. Samuel Smith rose and delivered a short address—Mr. J. S. Skinner then, as secretary to the meeting, read certain resolutions, with an address to the people of France, all which were concurred in, and the meeting was dissolved.

A large number of the natives of France had a distinguished place in the ceremonies of the day. After the adjournment at Monument Square, the following expression of their feelings was adopted, and ordered to be published—

[TRANSLATION.]

The natives of France and their descendants, residents of Baltimore, now more proud of their name and origin, since they have witnessed the generous sympathies of Americans—who, through one of their most distinguished orators, have expressed their approbation of the memorable revolution by which the rights of man have been secured to the French nation—deeply impressed, moreover, with feelings of affection and gratitude, beg their fellow citizens, by adoption and by birth, to accept their thanks, their respects, and the assurance of an enduring attachment. They offer this tribute of regard to their American fellow citizens, as one which must be most grateful to freemen, who desire the glory and happiness of the whole human family.

From the Chronicle and Marylander.

The following account, prepared by a member, is published at the request of the association:

TYPOGRAPHICAL ASSOCIATION—After the interesting ceremonies of the day had been concluded at Monument square, on Monday last, the Typographical Association, to the number of about 80 persons, proceeded to the execution of a resolution, adopted on a former occasion, of depositing their own proper flag with Mr. HEZEKIAH NILES, editor of the "Register," as the senior employer in the city, together with the tri-color, which they had provided and displayed in the procession by the side of the "star spangled banner" of their own land. Capt. HICKMAN, and his veteran company of volunteers, (the 1st of the 5th Maryland regiment, the oldest and the strongest of the uniformed corps of the state), with capt. DEEMS, and his well-tried company of Baltimore Yagers, with the splendid military band thereunto attached under the direction of capt. ROUNDTREE, honored the occasion by a tender of their services, which were gratefully accepted on the part of the craft by their MARSHAL.

After the adjournment at Monument square,—so called because of the chaste and beautiful edifice therein erected in honor of the brave men who lost their lives in defence of Baltimore in 1814, (some of whom were members of these companies), they, and the band, being joined by the "Mechanical volunteers," who unexpectedly, but very agreeably, expressed a wish to unite in the ceremonies,—proceeded to the Central Fountain in Calvert street, followed by the Printer's Association, headed by Mr. NILES, who was supported by Mr. MURPHY, one of the editors of the "American," and Mr. A. I. W. JACKSON, one of the oldest journeymen of the profession, flanked by Mr. SANDS, the marshal, and his assistants, Messrs. J. N. MILLINGTON and BAILEY, with the flag of the craft, and those of the United States and France, floating in harmony. Some hasty arrangements being made (because it was then intimated that capt. Hickman, on behalf of his company, also wished to present to Mr. Niles, for the purposes hereinafter stated, the elegant tri-colored flag carried in his ranks that day), the whole marched to Mr. Niles' dwelling in St. Paul's street, near which a large number of ladies and other persons had assembled. While the military were forming, so as to leave an open space for the ceremonies and make room for the printers, the band played *Washington's march*. In the meantime Mr. Niles, with Mr. Morphy on his right and Mr. Jackson on his left, took place on the lower step of entrance into his house, and, the parties being uncovered, Mr. Sands, bearing the flag of the fraternity, and supported by his assistant marshals, advanced, and delivered the following address:

Mr. Niles—

The duty has devolved upon me, on the interesting occasion for which we have this day assembled, to fulfil the wishes of our brethren, by placing in your charge, as the oldest master of our craft in this city, this banner of our profession—It is peculiarly gratifying, that a day

which we have devoted to the expression of our homage and respect for the talents, virtues and gallantry of our fellow-craftsmen in France, should be selected as the appropriate time to fulfil this pleasing task—and in discharging our duty on the occasion, we cannot forego the opportunity of expressing our pride and glory at the exalted height to which the art has been raised, by the undaunted courage of our brethren in that chivalric land—Neither can we omit the expression of our admiration and respect for those talents which have made our city known throughout the civilized world, as the residence of the consistent, indefatigable and patriotic editor of the "Weekly Register." When our revolutionary struggle took place, our fraternity were the foremost to support the rights of our countrymen—those days brought forward to the service of his country, the talents of a printer, known throughout the land as the sternest republican, and the most disinterested of patriots;—we need not remind you that BENJAMIN FRANKLIN was that man. Since that period, others of our fraternity have distinguished themselves by their support of those principles for which our fathers fought, and which eventuated in the establishment of a government, the terror of tyrants, and the hope and refuge of the friends of liberty throughout the world;—but it is no disrespect to those patriots to remark, that your claims to precedence for services to your country, and honor conferred upon our profession, are second to none, other than Franklin, in the annals of our craft. No where, then, could we more appropriately place this banner, than in your hands, even did not your seniority claim this tribute of our respect.

To you, then, sir, we entrust it, and may the day when it shall be transferred to your successor be far, far distant—and that your valuable and useful life may be spared to the utmost span limited to man, is the sincerest, heartfelt wish, of every member of our fraternity here assembled.

Another duty, by a more recent resolution of our body, has also devolved upon us—this tri-colored flag, borne in our ranks this day, has also been directed to be delivered into your care—it is the banner which the gallant people whose emancipation from tyranny we have this day assisted to celebrate, have adopted—under which their country has gained the most lasting renown, and which our own LAFAYETTE, the WASHINGTON of France, has recommended to a grateful people, who hail him as a father of their country—Take, it sir, and forward it to that patriot, as a tribute of respect to the patriotism of our craft in another hemisphere.

[On the delivery of the printer's flag, (which was transferred by Mr. Niles to Mr. Murphy), Mr. Sands paused, and the band struck up the long-loved and ever-cheering national air of *Yankee Doodle;* and after the delivery of the tri-color, which was consigned to the care of Mr. Jackson, the great and sublime national hymn of regenerated France was performed with a precision and harmony hardly to be excelled. These flags being united, formed a kind of arch over the head of Mr. Niles, who descended from the step, and replied in the following terms.]

Mr. Marshal, and brethren of the craft:

I frankly confess, that I am much, but delightfully affected by this new token of the esteem of my fellows, with whom I have always endeavored to live on the best and kindest terms. I trust that I have shewn a disposition to render justice unto all men, tempered with mercy, or good will,—but from early youth, I have been specially zealous for the honor and welfare of the members of my own profession, knowing how much of private respectability or national character, might rest upon their good or evil conduct, as *indices* of public opinion; for it is, or at least, always should be, a pioneer in the magnificent work of improving the intellectual world, and thereby ameliorate the condition of the family of man. And, after the experience of more than thirty years as an employer, it is with no small degree of pride that I bear testimony to the honorable feeling, inflexible integrity and generous courtesy, of the hundreds of my brethren with whom I have had business to do, in all its various and delicate relations, as to the concerns of my own office. In times long past, I was, for several years, the editor of a decided and active political paper, and though I never once enquired into the personal opinions of an individual presenting himself for employment, (and much less attempted to influence his opinions when employed by me), only one solitary case occurred, so far as came to my knowledge, in which the implicit confidence reposed was ever violated. *Fidelity* is a distinguishing characteristic of our profession; and no other than one who is a disgrace to his kind, will enquire into, or reveal, the *office-affairs* of another. Under such noble influences, and, by the nature of their business, reading and reflecting more than any other class of laboring people, the regular-bred printer becomes a devotee to liberal principles, liable, however, to the same particular, or partial, excitements that belong to his fellow men: and, though his *head* may sometimes ramble through the fields of speculation, his *heart* is generally in the "right place." Hence, it is not surprising that, perhaps, ninety-nine hundredths of the printers in the "United colonies," were "*rebels*" in our revolution—that, like their own FRANKLIN, they hurled truth against the oppressor; or, that the craft took a leading part in the mighty and glorious events which recently happened in France—this day so happily celebrated by the patriotic people of Baltimore, "who gave graves to their enemies, and to their defenders a monument." And our intelligent and gallant brothers of Paris, supported by the sword those principles which they had proclaimed through the press, avoiding no part of that personal responsibilty which they urged others to encounter; thus accomplishing one of the inscriptions on our banner,—"*The tyrant's foe—the people's friend.*"

In seasons of high party excitement, the press often times suffers a partial degradation. "All is *not* fair in politics." A political lie is not less reprehensible than a religious one. Falsehood *is* falsehood still, and should be utterly rejected. It is only by respecting themselves, that the owners of presses can hope to obtain, and preserve the respect of the worthy—and the "*Art preservative of all the arts,*" should not be submitted to the dominion of passion and prejudice—be any more excited by rewards than broken down by punishments,—unless in the "sovereign people's" will. We have a common interest, my brethren, in supporting the dignity of our profession; and, if we cannot do away the licentiousness of the press, let us endeavor to soften its extravaganeies and correct its abberrations. It has often been said, and I think justly, that licentiousness is a price that must be paid for liberty—and surely, I will not agree that the press shall be *regulated* by any other power than that of public opinion, guided by a love for truth and what public decency imposes; but still, it must have been observed by every reflecting man among us, that the rightful agency of the press has been frequently obstructed by fiery, ill-tempered and profligate managements of it.—"Truth is a virtue without violence," and public opinion, though oftentimes agitated and misdirected by the power of *feeling*, will always settle down into a righteous judgment of men and things, if a *free press* is permitted to give utterance to the public reason.

It would afford me, Mr. Marshal, great pride, indeed, to feel that I merit a small share of the high praise which you have so kindly bestowed upon me. In truth, I am "*no actor here.*" The ceremonies of the day, in which, as your elder, I am called upon to take a leading part, are forgotten in my own individual sensibilities. I am assured of the sincerity of the compliments presented, and most heartily thank you for them—but, my friends, who shall *cover* the traces of our FRANKLIN, whose every footstep is marked with his own Herculean mind?* The like of him must be "as angels visits—few and far between." He was one of the ETERNAL'S own noblemen! His character and services to mankind will stand alone for ages. It was his wonderful fortune to grasp the forked lightning of heaven in his hand, and to trample the sceptre of a tyrant beneath his feet—an apostle of liberty and of light! And in the same plain dress, and with the same simplicity of manners, in which he appeared among the ministers of a "tyrant," when he entreated forbearance towards his suffering and oppressed countrymen—which provoked the sardonic grin or

*It was the ancient practice of the aboriginal inhabitants of these United States, as they marched in single file, to cover the traces of their leader, the better to deceive their enemy, in respect to their number.

broad laugh of the fools or profligates with whom he had to do—having previously signed the "great paper" proclaiming the independence of the colonies, he affixed his seal to the extorted *treaty* with the king of Great Britain, which acknowledged these colonies to be "free, sovereign and independent states," owing allegiance only to the majesty of heaven and the people's will! He was a man of the world! His spirit belonged to ages beyond the flood, and will endure for ever—immortal. As "our guide," his name is inscribed on our flag. May every one of us steadfastly, however humbly, follow it—and preferred indeed, will that man be, who shall succeed in even rightfully discerning the traces of his footsteps.

I accept in deposit for the future use of the craft, the honored banner of the printers of Baltimore. It will be carefully preserved—with a direction, that, when "the time appointed to all men" shall come to me—when I am called from works to rewards, it may be handed over to my successor, the then oldest employer in this city, with an injunction that he shall dispose of it in like manner, if correspondent with a wish of the future association of our craftsmen.

I also, and with much pleasure, receive the tri-color of that great and illustrious nation whose victory over despotism, through the power of the press, and the undaunted courage of her working people, with their unprecedented success in arms, we have just celebrated. The history of man presents no parallel for these astounding events. The resolution and harmony, devotion and moderation, with which they were brought about, would seem to belong to an intelligence that no one could have expected of a nation of philosophers, in times so fitted to an indulgence of the rudest passions of the human heart. France has more glory in the love of order displayed by her people, than in the fearlessness with which, self-moved, they rushed upon and overcame the carefully disciplined and fully armed hirelings of Charles the Tenth. It shall be faithfully transmitted, as enjoined by you, to the hero, citizen and patriarch of two worlds, who is well called our own LAFAYETTE,—for with us, and for us, he first began the career of his glory. Accompanied by a full report of this day's proceedings, the flag will not fail to become more valuable in his estimation, because of the worthy and brave citizen soldiers present at this ceremony—equally recommended by Baltimore to her friends and her enemies.

On behalf of our association, I beg leave to tender my sincere and hearty thanks to the officers and privates of the two companies of armed citizens who have escorted and honored us, and to the numerous and elegant band, who have given so much pleasing effect to the ceremonies, and also to the Mechanical volunteers, who offered their services, in a matter of kindness, with the same patriotic spirit that they met the enemy of our country in the field, in the days that are past. Had my private wishes been consulted, there are no military associations in Maryland that I would have preferred. The one is a direct and legitimate descendant of the darkest days of our revolution, and, from my earliest knowledge of persons and things in this city, a period of almost thirty-two years, it has been remarkable for its integrity, steadiness, discipline and devotion.† No one, perhaps, of its original members remains to witness this new rising of the "day-star of liberty" in France—but the first company of the 5th regiment, Maryland volunteers, has been kept up in the fullness of its strength and harmony of co-operation. The others, though of more recent organization, are old enough to have had companionship with the former, when the capital of our country was attacked, and this fair city doomed to plunder and conflagration by a ruffian enemy: the Yagers are also the more acceptable to me because of the high personal respect that I have entertained for their present worthy commander, ever since my residence was settled in this flourishing city.

† This company was the body guard of WASHINGTON at the battle of Germantown, and honored with the same station in 1794, when engaged in the western expedition, at which time it mustered 96 men, rank and file; and even now, though the military spirit has so much subsided, it can shew about 100 well disciplined men, uniformed and fully equipped for service.

Our domes and our monuments, spires and towers, adorn the spot which, as if by an eruption of Vesuvius, it was intended to have covered with cinders and ashes—and our beautiful fountains still flow, uninterrupted by the crumbling ruins of our houses. Honor and gratitude to those who supported, in the various means they possessed, that "starry banner,"‡ in the time of its need! We greet those present in the name of the whole; and trust that, as in France, the *freedom of the press* will always be maintained by an *armed people*, should despots attempt its subjection to an inquisitorial power.—Tyrants are not less fearful of "paper shots" than leaden bullets—for they know that the *mind* being prepared, *action* will follow its leadings; and, when *heart* and *hand* are in that harmonious co-operation now offered to our view, who shall resist their united effect? Again I thank you, citizen-soldiers—and it shall be my duty to teach my brethren to honor you for the honor conferred on myself and them this day.

I have also to tender our public respects to the committee of arrangement, for the place assigned us in the general procession. It is a compliment paid to our fellows of Paris, as well as an assurance that a free press, the palladium of liberty, is duly regarded in *our own* happy land.

Mr. Niles having concluded, a sprightly air was played by the band, and then captain Hickman, having ordered the bearer of his tri-color to advance, received it, and, holding it in his hand, addressed Mr. N. as follows—the latter having stepped forward to meet him:

"The flag which I have the honor to present, in the name of the "First Baltimore Light Infantry" is the gift of our united contributions; and intended as an expression of our admiration for the great civil and military virtues of the citizens of Paris.*

There appears to be a striking coincidence in the affairs of the typographical brethren and the military, both as regards their exertions and triumphs,—and, as you, sir, rank among the foremost of that honorable and useful profession—and being one of the champions of the GREAT AMERICAN SYSTEM, we most respectfully request you to forward this flag, to that magnanimous citizen of two enlightened nations, and desire him to present it, in the name of this corps, to the First Company, Fifth Regiment, of the Guards National, with our best wishes for their health and prosperity."

To which Mr. Niles made an extemporaneous reply to this effect—That he felt, indeed, flattered by the honorable commission from the respected commander of the veteran First Company of the 5th Regiment Maryland Volunteer Infantry, and would gratefully associate himself with the officers of that company, or a committee that might be appointed for the purpose, to transmit the flag as directed, with such explanations or remarks as the interesting occasion well demanded. He briefly referred to the "striking coincidence" noticed by capt. Hickman, and personally thanked him, and his brethren then in arms, for the distinguished kindness that they had extended to the printers of Baltimore. He adverted to the valued compliment paid to himself—not as deserving, but as willing to merit it, by a devotion to the success of the "Great American System," bounded only by his humble means for giving it a full and fair trial, under an assurance, strengthened by serious reflection from the days of his youth to the present time, that its principle was that of independence, its fruit liberty, and its end prosperity and peace. He intended also to have added, but indistinctly expressed himself, that, as the *working men* of France had won the liberties of their country in arms, those of the Unised States should carefully guard their own prosperity in the labors of peace.

[The latter part had direct application to the military then present—being almost exclusively made up of *productive* citizens.]

The three flags were now passed up into the second story of Mr. Niles' house, where they were received by

‡ Pointing to the flag of the United States.

*This flag was made by Mrs. Hanson and her daughters—the lady of 1st sergeant Hanson, of the corps, one of the oldest and most zealous of its present members.

the ladies of his family and others assembled to witness the ceremony, and with unpremeditated, but delicate kindness, festooned over his *editorial chair*. The printers and the military then, in numbers suited to the capacity of the room, entered, and partook of some slight refreshment, during which several good toasts were given by different gentlemen. The companies were then re-formed, and *Lafayette's March* was played by the band—and the contiguity of the houses not permitting a salute intended to have been fired, the companies proceeded to the front of the theatre, and, having discharged their pieces, were dismissed, after being engaged more than six hours in a pleasant but fatiguing duty. The printers also marched to Mr. Barrett's tavern, where Mr. J. W. SANDERS was called to the chair, and resolutions unanimously adopted, reiterating the thanks of the association, already expressed by Mr. Niles, to the several military companies who had honored them with their escort—also to the several employers for their company in the procession—to Mr. Barrett for the use of his rooms for their meetings—and to Mr. S. Sands for his exertions on the present occasion, and for the manner which he discharged the duties of marshal of the day for the association, as well as for the sentiments he expressed on their behalf on the delivery of the standards as directed by resolutions of their body. They then adjourned, *sine die*.

AMERICAN INSTITUTE AT NEW YORK.

The following list of premiums awarded at the late fair, for the exhibition and sale of American manufactures at New York, conveys only a partial account of the numerous and valuable products of American industry thereat displayed—but may serve to give some idea of the extent and power shewn by the American people to supply their own wants. As promised in the last REGISTER, I shall embrace some early opportunity to give my own views on this proud exhibition of the skill and perfection of my countrymen, in the various useful and ornamental arts.

Premiums awarded at the fair of the American institute, held in New York, at masonic hall, October 12th, 13th, and 14th, 1830.

ON COTTONS.

The first premium on brown cottons, to the Scituate Manufacturing company, for a package of 7-8 brown shirting, from Fish, Alley & Lawrence, 51 Pine street.

The second premium on ditto, to Joseph and Benjamin Marshall, N. Y., for a bale of printing cloth, of the N. Y. mills, Whitestown, Oneida county, Benj. S. Walcott, agent.

First premium on bleached cottons to Joseph and Benjamin Marshall, for a package of shirting, handsomely done up in folds resembling Irish linen, from the N. Y. mills.

Second premium on ditto, to the Union Manufacturing company, Peterboro, N. H., for a package of 7-8 shirting, Smith & Wheeler, agents, N. Y.

First premium to Joseph and Benjamin Marshall, for a package of 5-4 cambrics, from the N. Y. mills.

Second premium to Philip Allen, Providence, R. I. for two packages of 4-4 and 9-8 cambric muslins, manufactured by him, Hugh Auchmeloss & Son, agents, N. York.

First premium to Gray & Harden, N. Y., for a package of light chintz prints, a very beautiful specimen of printing, from the Eagle Print Works, Belleville, N. J.

First premium to the Merrimac, Manufacturing company, Lowell, Mass. for a case of dark chintz, six colors, very rich, from Burns, Halliburton & Co. N. Y.

Second premium to Gray & Harden, for a case of dark chintz prints, three colors, from the Eagle Print Works.

A premium to C. M'Lean, Utica, for an assortment of ginghams and plaid handkerchiefs, good articles and handsomely finished, Burr Wakeman, agent, N. Y.

A premium to Houston & Buchanan, of Greenwich village, N. Y., for a specimen of 4-4 check, of fine quality.

A premium to A. B. Walker, for nankeens, manufactured by Collett & Smith, Paterson, N. J. from nankeen colored cotton, grown in Georgia, by the hon. John Forsyth.

A premium to the Newburyport Hosiery company, Mass. for several specimens of hose, cotton drawers and suspenders, from Benj. Poor & Co. agents, 161 Pearl street.

A premium to the Rockland Manufacturing company, Brandywine, Delaware, for samples of cotton twist and filling, from No. 70 to 105, very handsomely spun.

A premium to H. & W. W. Greene, 112 South-st. for cotton twine, a very excellent article.

A premium to the Matteawan company, for a package of beaverteens, a superior article equal to English, from the Matteawan company, Fishkill, W. B. Leonard, superintendent, by P. H. Schenck & Co. N. Y.

ON SILK.

First premium to the New York dying and printing establishment, Staten Island, for silk handkerchiefs, printed on foreign silks, numerous specimens done in the most superior style. Office 101 William street.

Second premium to John Morrison, 168 Sixteenth street, New York, for silk handkerchiefs, printed on silk cultivated in Mansfield, Connecticut, a very excellent article.

First premium to G. O. Gilbert, for the best sewing silk, made at Mansfield, Conn.

Second premium to Daniel Sparks, 165 Elm street, for sewing silk, made of raw silk, from Mansfield, Conn.

A premium to John McRae, 410 Hudson street, New York, for specimens of excellent silk plush and ribbons.

A silver medal to Dr. Felix Pascalis, N. York, for his attention to promoting the culture of silk worms and the filature of silk.

ON WOOLLENS.

First premium to the Glenham company, Fishkill, N. Y. A. L. Ulrich, superintendent, for the best two pieces of superfine blue and black broad cloth, superior to any thing of the kind ever exhibited in this city, of American manufacture. P. H. Schenck & Co. agents.

Second premium to the Glenham company, for the best piece of olive, and second best piece of blue broad cloth.

First premium to the Pontoosuc Manufacturing company, Pittsfield, Mass. for the best piece of brown broad cloth. Erastus Ellsworth, agent, N. Y.

Second premium to the Pontoosuc Manufacturing company, for the second best piece of black and brown broad cloth.

A premium to Wm. Buckley, Poughkeepsie, for the best piece of sattinet.

A premium to Samuel Shove & Co., Providence, R. I. for the second best piece do., from H. Auchincloss & Son.

A premium to J. H. & W. R. Jones, Cold Spring, L. I. for three pieces of fine flannel.

A premium to Joseph Ripka, Philadelphia, for fine Merino cloth, from Greenough & Brinckerhoff.

A premium to George & Sturges, 102 Bayard street, for plain and figured hair seating, excellent articles.

A premium to E. M. Morgan, for specimens of satinet, casinet, and a card sheet, manufactured at the Hall of Industry, by machinery propelled by dogs.

A premium to Alexander Oakley, for a specimen of 100 fleeces of very fine Saxony wool, grown in this state.

ON CARPETING AND OIL CLOTHS.

A premium to the Enfield Manufacturing company, for elegant ingrained carpeting and hearth rugs, fully equal to imported, manufactured at the Thompsonville Manufactory, Enfield Conn. from Andrews, Thompson, & Co. 180 Broadway.

First and second premiums to S. B. M. Sands, Brooklyn, L. I. for oil floor cloths made at the Nassau Manufactory, John Field, agent, 66 Chatham st.

A premium to the Catskill Manufacturing company, for specimens of printed felt cloth, for carpets and table covers, a beautiful article, Henry Raymond, agent, 33 Cedar-st.

ON IRONMONGERY, HARDWARE AND CUTLERY.

A premium to the Carthage Iron company, for specimens of pig, cast and bar iron, from their works in Jefferson county, which appear to be of most excellent quality, and are, worthy the attention of manufacturers, from V. Le Ray de Chaumont.

A premium to the Matteawan company, for superior hatters and sad irons, from their foundry at Fishkill landing.

A premium to J. L. Hommedieu, Saybrook, Ct. for screwstocks, and dies, and patent ship augers, from Hubbard and Casey, 11 Exchange place.

A premium to Nathan P. Ames, Springfield, Mass. for axes, hatchets, chisels and pump augers, from Westervelt and Denison, 85 Maiden lane.

A premium to A. & R. Baldwin, 404 Broome st. for superior carpenters' planes, particularly a plow.

A premium to Thomas Yates, 17 Spruce st. for fine files for watchmakers and dentists.

A premium to Samuel J. Pooley, 132 Mulberry st. for a superior specimen of surgical instruments and miniature cutlery.

A premium to Hall & Howell, 396 Grand st. for door locks of superior finish.

A premium to Wm. Gordon, Geneva, N. Y. for an elegant rifle, with percussion lock, from Alex. H. Shultz, New York.

A premium to Richard Batten, corner of Burling slip and Water street, for very superior transit and theodolite instruments, the latter of a construction almost wholly novel.

A premium to professor J. Steele, of this city, for a very beautiful assay balance, of much accuracy of workmanship.

A premium to John Cook, 174 Water st. for a case of mathematical and drawing instruments, of high finish and excellent workmanship.

A premium each to J. M. L. & W. H. Scovill, Waterbury, Ct. Benedict & Coe, of the same place, and Richard Robinson & Co. Attleboro, Mass. for numerous specimens of very superior gilt and plated buttons, so nearly alike in quality, that competition was withdrawn. Agents, Gad Taylor, 19 Cedar st. and C. P. McElwain, 102 Maiden lane.

A premium to Jones & James, 31 Ann st. for a brass beam and scales—a praiseworthy specimen of skill.

A premium to Peter Bissell, for brass nails, made at his manufactory, 16th street, near 9th avenue.

A premium to Francis Smith, 96 Centre street, for superior brass shovels and tongs.

A premium to James Wilson & Co. 206 & 208 Water street, for superior stoves, and a cast iron mantle piece, a perfect imitation of marble.

A premium to William Naylor & Co. 5 Chatham square, for a coal cooking stove, adapted to general convenience.

A premium to S. & H. Stanley, West Poultney, Vt. for handsome cast iron hollow ware, for kitchen purposes, very light and smooth, from J. & M. Gassner, 227 Fulton street.

ON SILVER, PLATED AND TIN WARE, CLOCKS, &c.

First premium to Baldwin Gardner, 146 Broadway, for a large display of richly embossed silver soup tureens on stands, enchased cake baskets and embossed and plain pitchers; very splendid workmanship.

First premium to William Thompson, 109 William street, for two very superior chased and carved silver waiters; very rich work.

A premium to Stebbins & Howe, No. 146 Chatham street, for a case of jewellery, watches and silver ware; very tasty and elegant.

A premium to Jared L. Moore, 142 Chatham street, for a case of gold and silver mounted spectacles.

A premium to Samuel Wignall, 245 Grand street, for two pair of beautiful mantle, and two light lamps.

A premium to James Woodhall, King street, for plated castors, and other plated ware.

A premium to William Naylor & Co. 5 Chatham square, for block tin ware.

A premium to James Grant, 315 Broadway, for dish covers, coffee urn, and other articles of tin ware.

A premium to Crossman & Leonard, Taunton, Mass. for an assortment of very handsome Britannia ware.

A premium to Uriah Emmons, 80 Hester street, for two very beautiful musical and striking clocks.

A premium to James S. Mott, 266 Pearl street, for a superb clock regulator, the movement executed by James Rogers, of this city, in a first rate style.

ON GLASS AND EARTHENWARE.

First premium to Sayer & Yates, glass cutters, 23 Delancey street, for a display of numerous articles of beautiful cut glassware, among which were two bowls uncommonly large, and the handsomest ever exhibited in this city.

First premium to John Gilliland & Co. of the Brooklyn, glass works, L. I. for superior specimens of plain and moulded glass, a variety of articles of the most beautiful workmanship.

First premium to the New England Crown Glass company for superior crown glass, from C. & R. S. Goff, sole agents, 74 Wall street.

First premium to D. & J. Henderson, of Jersey City, for specimens of superior stone, flint and cane colored earthenware, a great variety, John Tingle, agent, 78 Maiden lane.

A premium to Lewis De Case, for fire bricks, crucibles and furnaces made at the Salamander works, 62 Cannon street.

ON PAPER AND STATIONARY.

First premium to R. Donaldson, 45 John street, for very superior and handsome note paper, bank post, copperplate, demi writing, blue laid letter, music and rose colored blotting paper.

First premium to Goodwin & Co. of Hartford, Ct. for royal, medium and white foolscap paper, from J. Seymour, 49 John street and 6 Burling-slip.

First premium to Henry Hudson, of Hartford, Ct. for blue laid foolscap and white letter paper, from Thomas A. Ronalds, agent, 203 Pearl street.

First premium to David Felt, 245 Pearl street, for blank account books—very neat and beautiful specimens of binding.

A premium to William Kidder, New York, for sealing wax and writing ink, by O. Longworth, 22 Exchange place.

A premium to P. Byrne, 60 William street, for excellent quills and pens.

A premium to Daniel Ames, 47 Murray street, for water colors.

A premium to Bourne, 359 Broadway, for music, printed in handsome style on fine colored paper.

ON HATS.

First and second premium to H. Costar, 200 Broadway, for the first and second best beaver hats.

First premium to Alonzo Alvord, 7 Bowery, for the best plated hat.

First premium to Joseph Juel, 194 Broadway, for the best ladies' hat, napped with otter.

First premium to T. Simms, 59 Canal street, for the best satin beaver men's hat, well worthy of particular attention, the silk having been manufactured in this city.

ON BOOTS AND SHOES.

First premium to John Whitney, 236 Broadway, for the best ladies' boots.

Premium to Thomas Lane, 1 Murray street for the best ladies' walking shoes.

Premium to Ch'r Sammis, 329 Broadway, for the best ladies' pumps.

ON PIANO FORTES.

First premium to William Geib, 170 Broadway, for a grand upright piano forte.

First premium to Robert & William Nunns, 137 Broadway, for a large size horizontal piano forte.

Second premium to Charles Sackmeister, No. 145 Broadway, for a large size horizontal piano forte.

First and second premiums to Dubois & Stodart, 167 Broadway, for two small sized, square, two stringed piano fortes.

A premium to William Geib, for a square two stringed piano forte.

A premium to Robert & William Nunns, for a unicord or one stringed piano forte.

The cabinet work of Geib's and Nunns' pianos was particularly noticed as being of superior workmanship.

ON CABINET AND GILT WARE.

First premium to John Edgerton, of New Brunswick, N. J. for a centre table, the top the best specimen of work exhibited, being chequered, rose wood, maple and mahogany.

Second premium to Samuel Carter, 51 Beekman street, for a rose wood and mahogany book-case, the work of an apprentice.

A premium to S. B. Young, 69 Broad street, for a pair of card tables, and a work table of American oak, superior workmanship.

First premium to Edward A. Ball, 158 Bowery, for venetian blinds, with elegant painted cornices, some representing a fire and firemen.

A premium to Richard M. Raven, an apprentice, corner of Duane and Greenwich streets, for a rose wood work box.

A premium to Samuel Kennedy, 20 Hudson street, for a gilt raised carved vase of flowers; the carving eminently well executed.

A premium to Thomas Goodwin, No. 120 Eldridge street, for the best curled maple chairs.

A premium to B. Landen, Newburgh, for a painted box in imitation of rose wood; a very masterly piece of work.

ON PICTURES, SCULPTURE, &c.

First premium to William S. Mount, 71 James street, for a painting, respecting a rustic dance.

Second premium to J. Quidor, 520 Pearl street, for a painting' Brom Bones and the Schoolmaster, from Irving's sketch book.

Third premium to Bourne, 359 Broadway—scenery in the rocky mountains.

A premium to Wright & Bale, 16 Maiden lane, for a collection of bas reliefs.

A premium to John H. J. Browere, artist, 512 Pearl street, for a full length plaister casting of a boy kneeling, cast and carved busts of Jefferson, col. Willet, Emmett, and Knickerbocker.

First premium to Gad Ely, 174 Broadway, for the best specimens of penmanship.

Second premium to Isaac F. Bragg, No. 154 Fulton street, for specimens of penmanship, exhibiting great skill and taste.

A premium to Robert Lovett, 263 Broadway, for impressions of stone seal engravings.

A premium to A. T. Mann, 257 Broadway, for engravings on wood.

A premium to Balch, Stiles & Co. 34 Merchants' exchange, Wall-street, for specimens of engravings.

A premium to Albertus D. O. Browere, for a plaister statue of Sterne's Maria, and busts and paper cuttings.

A premium to Charles Edwards, Nassau street, for a handsome pen-drawing of the tomb of Archimedes.

A premium to Henry Huntington, 36 White street, for ingenious and beautiful specimens of fancy, transparent weather proof sign cuttings.

ON CHEMICALS.

A premium to C. C. Cohen, 116 Henry street, for a specimen of Prussiate of Potasse.

A premium to Joseph Boston, 7 Wall street, for carmine made from cochineal by him.

A premium to Charles E. Ruggles, 14 Roosevelt street, for prepared linseed oil.

A premium to Wm. Bigelow, Brooklyn, for transparent varnish for maps, &c.

A premium to W. L. Rushton, 81 William street, for a specimen of bleached sponge, very handsome.

ON MACHINES AND MODELS.

A premium to Increase Wilson, New London, Con. for a corn mill, a very useful article. Agents, Cebra & Cuming, Pearl-st. corner of Old slip, and Taylor & Williams, 235 Pearl-st.

A premium to the Mattcawan company, for a turning lath, with circular bans, made at their machine shop, Fishkill landing, suitable for an operative or amateur mechanic.

A premium to John Steele, jr. 90 King street, for an eccentric turning lath, and beautiful specimens of its operations.

A premium to Isaac Searle, 3 James street, Brooklyn, for a fur cutting engine, an excellent machine.

A premium to Samuel Silliman, Middlesex co. Con. for a washing machine. R. C. Peters, agent.

A premium to J. Dutcher, 163½ Hudson-st. for a plough on an improved plan, and called the national plough.

First premium on machine sheet cards to the Springfield Card Manufacturing company, Massachusetts, Walter H. Bowdoin, agent.

Second premium on ditto, to James Smith & Co. Leicester, Mass.

A premium to James Young, 136 Rivington street, for a machine called patent numerator and speller, recommended as useful for infant schools.

A premium to Wm. Ballard, 3 Eldridge street, for an improved jackscrew; a very excellent machine.

A premium to George Dunn, foreman to Carter & Mitchell, Newark, N. J. for chaise and buggy, iron frames.

ON MISCELLANEOUS ARTICLES.

A premium to J. Hunter & Son, 311½ Broadway, for the best specimen of Bristol stocks.

First premium to John Wright, 77 Perry street, for starch.

Second premium to John Y. Smith, Water street, for starch and hair-powder.

First premium to F. L. Wilsey, 194 Pearl street, for carved shell combs.

Second premium to Thomas Palmer, 305 Broadway, for shell combs.

A premium to Luke Davies, 102 William street, for leather, cloth and fur caps.

A premium to Michael & Derrick, 4 Wall street, for a set of Stanhope harness.

A premium to Mrs. G. B. Miller, 110 Water street, for superior specimens of snuff.

A premium to James Miller, Newark, N. J. for coach lace and trimmings.

A premium to G. Saunders, 19 Wall street, for strops for razors and penknives.

A premium to H. G. Gifford, for specimens of fine ground salt, in the form of sugar loaves, of pure quality and well calculated for table use, from his factory at Syracuse, Onondaga county; William & John James, agents, 18 South street.

A premium to B. Morange, 105 William street, for japanned leather; exhibiting great skill and perfection.

A premium to J. K. Orrell, Providence, R. I., for brass and steel reeds for weaving; a very beautiful and perfect article.

A premium to A.S. & E. Chittenden, 32 Maiden lane, for navarino hats made by them.

A premium to J. W. & F. Phyfe, 44 Maiden lane, for a curled hair matrass.

A premium to Joseph Chaffee, Crawford co. Ohio, for a specimen of hemp.

A premium to John Thomas, 315½ Broadway for an embroidered dress and belts.

A premium to Ives & Walters, Brooklyn, L. I. for a carriage, with improved springs.

Premiums for articles of domestic produce and manufacture.

To Mrs. Joshua Stow, of Middletown, Ct. for several pounds of fine linen thread, spun by her in her 69th year, a premium.

To Mrs. G. L. Thompson, Staten Island, N. Y. for three baskets of silk cocoons, the first premium.

To Miss Louisia Hewlett, of Oyster bay, L. I. for silk cocoons and sewing silk, the second premium.

To Miss Adelaide Ely, of Coxsackie, N. Y. for the best hearth rug, first premium.

To Dr. J. Hornbeck, of Orange co. N. Y. for the second best hearth rug.

To Mrs. Dayton, of Hudson, N. Y. for the third best hearth rug.

To Miss Jane Hall, 319 Water st., for a hearth rug of needle work.

To Miss Mary Agate, Sparta, Westchester co. for fine worsted stockings and yarn.

To W. A. Beecher, for Merino woollen stockings, knit by a young lady in Connecticut, the yarn spun by herself.

To Mrs. Stevens, corner of Broadway and Pearl street, for a white quilt.

To Mrs. Kirkland, 52 Vestry street, for a handsome large black lace veil, the first premium.

To Miss Holley, of Stamford, Ct. for a black lace veil, the second premium.

To Urania Downs for a specimen of plain sewing, taught at the public school by Miss Knapp.

To Miss Gardiner, of Richford, Berkshire cty. Mass. for a superior Leghorn hat, the first premium.

To Mrs. Jos. Isaacks, 68 Division street, for cambric frocks and a lace cap.

To Miss Hannah Bahan, 139 Charles street, for shell head dress, necklace and bracelets.

To the Roman Catholic Orphan Asylum, for a handsome specimen of bead work and penmanship, by the orphans.

To Miss Smith, 478 Greenwich street, for a bead work bag.

To Mrs. Boch, 110 Bleecker street, for 2 bead necklaces.

To Miss Anthony, a pupil of Mrs. J. Russels, 469 Broadway, for a gilt centre table with Chinese figures—first premium.

To Mrs. Shultz, 550 Broadway, for a gilt figured work table—a premium.

To Miss Mary Ann Earle, Wechawk, N. J. for two scrap tables; gilt—a premium.

To Miss Tappen, 90 Chamber street, for a scrap table.

To Mrs. Isaacs, Houston street, for a scrap table—a premium.

To Miss Manly, 224 Grand street, for a pair of transparent blinds, a premium.

By order of the executive committee,
EDWIN WILLIAMS, *secretary.*

THE BRITISH WEST INDIAN TRADE.

"*Collector's office, New Haven, Oct.* 12, 1830.

SIR: I am requested by several of the merchants of this place interested in the West India trade, to ask of you at about what time they may calculate upon the ports in the British islands being open to American vessels, under the late arrangement. This information, if it can with propriety be given, will be of importance to the merchants, as they wish to know when to have their vessels and cargoes in readiness.

With due respect, I am, sir, your obedient servant,
WM. H. ELLIS.

Hon. *Martin Van Buren, secretary of state.*"

"*Department of state, Washington, 18th Oct.* 1830.

SIR: Your letter of the 12th instant has been received at this department. In answer to the inquiry it contains, as to the time when the British West India ports will be opened to our vessels under the late arrangement, I have to state that it is expected by this government, that that of Great Britain will, without delay, take the necessary measures to that effect, upon the receipt of the president's proclamation of the 5th inst.

I am, with great respect, your obedient servant,
M. VAN BUREN.

Wm. H. Ellis, esq. collector, New Haven."

CITY OF NEW YORK.

An ordinance making appropriations for city expenditures, passed October 11, 1830.

Be it ordained by the mayor, aldermen and commonalty of the city of New York, in common council convened, That the sums of money annexed, in the following list, to the respective heads of city expenditure, be and the same are hereby respectively appropriated to the subjects of city expenditure to which they are annexed, viz:—

For alms house,	$60,000	Markets,	$6,000
Streets, including opening thereof,	150,000	Public schools,	1,500
Bonds payable,	100,000	Wells and pumps,	3,400
Watch,	47,000	Lien on lots,	3,000
Docks and slips,	55,000	Charities,	2,800
Interest,	38,000	Cleaning streets,	4,000
Lamps and gas,	30,000	Printing & stationery,	2,000
Salaries,	16,000	Coroner's fees,	1,200
Fire department,	12,000	Elections,	2,000
Courts,	13,000	Board of health,	1,000
Roads,	10,000	Working convicts,	500
County contingencies,	10,000	Charges on arrears of taxes and assessments	400
Blackwell's Island,	8,000	Street expenses for repairs, intersections, &	
Justices' courts,	6,500	accepted streets,	9,000
Repairs,	6,000	Public reservoir,	10,000
Police,	6,000		

And that this ordinance continue in force until the new organization of the common council, and no longer.

J. MORTON, *clerk.*

CONSTITUTIONAL LAW.

From Mr. Dane's Appendix.

As the words, *compact, federative compact,* and *consolidation,* have long and often been applied, by all parties, to the constitution of the United States, and, for forty years, one great party has viewed it as a *federative compact* among the states, and the other great party not as such a compact, but, in the main, national and popular, it may be well, in the outset, to state what is meant by these terms. A *consolidated* government has been, and may be defined, to be, one "founded on the consent, expressed or implied, of the people of the *whole nation,* and which operates, in all its departments, directly upon the people," *as individuals,* and not in their *political* state capacity. Different is "the consolidation of the union," mentioned by the convention, in its circular address.—This only meant to strengthen the union. A *federative* government has been and may be described to be one, which "is composed of several independent states, bound together for specific national purposes, and relying, for the support and efficiency of its operations, on its action on such states, in their *political* capacity, and not upon their citizens *individually*"—that is, a government *completely federal* and *federative,* founded wholly on a federative compact, acts and operates, entirely through the *medium* of the authorities of such states, and one *completely* consolidated never so acts and operates, but entirely on the citizens or subjects, *individually* and *directly.* Probably, therefore, no federal republic ever existed completely federative, or completely *consolidated.* If the constitution of the United States was not created by compact, then it was ordained and established, as a statute or ordinance is, by the American people, "as one people or nation," and may well be called a popular *government;* because, wholly created by an act of the people in their original sovereign capacity. Though the general government be so ordained, *by one people,* still in one sense it may be *federal,* as it may act through states, and on states, partially sovereign, and not on *individuals,* directly, in cases more or less numerous, as the people may have placed more or less power in their general government, and to operate more or less directly upon individual persons. Hence, it is obvious in our system, those words, compact, confederacy, confederation, federative compact, consolidation, popular, national, state rights, state sovereignty, federal sovereignty, &c. must be used with some limitations, expressed or understood. We find that congress, as early as September 19th and 27th, 1774, acted directly on *individuals,* in several cases, so on the principles of consolidation; as, in advising the merchants of all the *united colonies,* not to import British goods; also, in *resolving* that no goods should be imported, (by individuals) after a time named, and that those imported should not be used or sold. Soon after, congress' resolves so operated on *individuals* in other cases. It is material to bear in mind that extensive powers were exercised by congress, on *popular* principles, before state powers, in fact, existed. We find no *state* power, in fact, nor any evidence of a federative compact, among the colonies, even by congress, using its authority as a medium of action until May, 1775. Until April, 1775, most of the colony legislatures continued and acted under the colony charters. Before July 4th, 1776, congress levied land forces, commenced a navy, and conducted all the operations of the war—erected a post office department—emitted bills of credit, asserted the rights of the people, *as one people,* to take their *station as one nation,* not *stations* as *several nations,* to which they were entitled. After congress met in May, 1775, it exercised mixed powers, a small part on *colonies,* and then on *states,* and nearly the whole on *individuals,* as their journals will show.

One object in this inquiry is, to examine some extraordinary opinions expressed in the senate of the United States in January, February and March, 1830, and in Jefferson's writings.

Mr. Jefferson, in his letter to Edmund Randolph, dated August 18th, 1799, charged the judiciary with audacious, barefaced assumption, in holding that the com-

mon law "in force, and cognizable as an existing law," in the federal courts, without the adoption of congress, and so infinitely beyond their power to adopt, the extent of which assumption he totally misunderstood as he does the principles on which those courts use the common law. He says "before the revolution, the *nation* of Virginia had, by the organs they then thought proper to constitute, established a system of laws"—of common law and chancery. "When, by the Declaration of Independence, they chose to abolish their former organs of declaring their will, the acts of will already formally and constitutionally declared, remained untouched. For the nation was not dissolved, was not annihilated; its will, therefore remained in full vigor; and on the establishing the new organs, first, of a convention, and afterwards a more complicated legislature, the old acts of national will continued in force, until the nation should, by its new organs, declare its will changed. The common law, therefore, which was not in force when we landed here, nor till we had formed ourselves into a nation, and had manifested by the organs we constituted, that the common law was to be our law, continued to be our law, because the nation continued in being, and because, though it changed the organs for future declarations of its will, yet it did not change its former declarations, that the common law was its law.—Apply these principles to the present case. Before the revolution there existed no such nation as the United States; they then first associated as a nation, but for special purposes only. They had all their laws to make as Virginia had on her first settlement as a nation; but they did not proceed as Virginia had done, to adopt a whole system of laws ready made at their hand. As their association as a nation was only for special purposes, to wit, for the management of their concerns with one another, and with foreign nations, and the states composing the association chose to give it power for those purposes, and no other; they could not adopt any general system, because it would have embraced objects on which this association had no right to form, or declare its will. It was not the organ for declaring the national will in these cases. In the cases confided to them, they were free to declare the will of the nation to be the law, but till it was declared, there could be no law: so that the common law did not become *ipso facto* law on the new association. It could only become so by positive adoption, and so far as they were authorized to adopt."

On this long and obscure clause, the following remarks, amongst others, may be made:

1st. Mr. Jefferson is correct in holding, that a people may change their form of government, yet retain their laws and their delegated power, legislative, executive or judicial, undiminished; but, by express words in the new form, they may increase or diminish it. This principle I shall apply to the general government, in the three forms in which it has existed. 1st. The *revolutionary*, commencing in 1774, and ending March 1st 1781, when the articles of confederation were finally ratified. 2d. Under these articles of confederation. 3d. Under the constitution. But to change the form, and retain their laws and power delegated, there must be no change of the source of that power, and not a total change of allegiance, as there was in our revolution, from the king of Great Britain to the government of America.

2. He evidently is in an error, in considering, as he does, *Virginia a complete nation*, in her colonial condition,—*her own sole law makers*; for he does not notice, in any manner, her dependence on, or connexion with, the British government. Whereas she was so dependent and connected, that her citizens owed allegiance to the king and had but one of three branches of legislation, and that one was in their representatives, so that they alone could not enact any law, and they had no executive or judicial power independent of her British condition and connexion. I shall pursue the subject of colonial limitations farther, when I shall come to the consideration of senator Rowan's opinion, that Delaware is as sovereign as Russia. I will here only add, that Jefferson's exalted idea of her colonial and state sovereignty or power led him, in drafting the Declaration of Independence, often to use the word *states* so improperly, that congress struck it out in each case, and declared these *united colonies* are, and of right, ought to be, free and independent *states*. Further, if the colony of Virginia was a *nation*, the thirteen colonies were *thirteen nations*, and now, according to this doctrine, we have twenty-four nations, and the union as the twenty-fifth.

3d. As to the common law, he clearly thinks the federal courts assumed it at large. The case, however, is not so. They practised on the principles of the common law, on two grounds: in a limited manner; first, on the 34th section of the judiciary act of September 24th, 1789, which provides—"that the laws of the several states," except, &c. "shall be regarded as rules of decision, in trials at common law, in the courts of the United States, in cases where they apply." These state laws include the common law, as it exists in each state. The federal courts can use it as far as it applies to federal cases under this section. Second. When this common law so applies, the federal courts can use it, in some few federal cases of necessity, on the same principles those courts adopt the whole system of equity from scores of English and American reports, not acts of congress; for there are none on the subject. If he had been a better lawyer he would not have charged the courts with audacious, barefaced assumptions. We observe another error. Virginia made no declaration of independence, so did not, *thereby*, abolish former organs. Congress declared and made the 13 colonies free and independent states, including Virginia; and absolved her from her allegiance to the British crown. There was no act in Virginia to dissolve this allegiance; but congress dissolved it.

It is understood that neither congress nor the federal judiciary ever thought of adopting the common law generally, but only as applicable to federal cases, of necessity and usefulness, and mostly on the above section, on the very principles upon which the state courts adopt the common law, without statute enactments, as necessary and proper in cases within their jurisdiction. Next, American statutes, state and federal, are enacted, and our constitutions are ordained, with nothing more or less to the common law; for instance, the jury trial, without such reference, would have no meaning in our statutes, or constitution. Our bills of rights are but an epitome of parts of the common law, of little value, if we refer not at all to the parts of the common law, of which all these bills are an epitome.

Mr. Jefferson omits that important feature in the constitution, whereby the laws and treaties made under it operate on *individuals*, not through the medium of *state governments*, which make it so far not *compact*, but one *entire government*, ordained by the whole American people, *as one people*, *popular* and *consolidated*, though in other respects it may be *compact* in a small degree.

LAW OF SACRILEGE.

At the sitting of the French chamber of peers, on the 3d of Sept. count St. Priest brought forward his proposition respecting the repeal of the law of sacrilege. In the course of his remarks, he observed:—

"Christianity has been too long exposed to hatred by the privileges with which it has been overloaded; however, the mixture of temporal and spiritual interests has not always been pernicious to society. It was Christianity which saved the freedom of Italy and Christian Europe. The liberty represented by the Roman church opposed a long time the despotism of princes. Liberty was the foundation of the power of the church, and if this power lasted so many centuries, it must be attributed to this origin. But the church seemed afterwards to forget this condition of its power; a time arrived when, inattentive to its protection, it even invaded that liberty.

M. de St. Priest stated, afterwards, that the law of sacrilege had been strongly opposed in the chamber of peers, and that it passed only by a majority of four.—This law, which was never applied, rests on a monstrous axiom—the possibility of avenging the Deity—it is intended to punish the deicide! I do not arbitrarily cite this word, for it has been pronounced. In fact, if punishment is measured with the greatness of the offence, death itself would be an extremely weak remedy. Nothing in the world would suffice for such an expiation. This principle would lead us at once to tax the inquisition with indulgence and fainthearedness.

This tendency has been, however, too much adopted. Prevertive measures have been accumulated. It is still asked with astonishment, for what object was this luxury of maledictions to anathemas? undoubtedly to curb and suppress the genius of the age, and to make it retrograde to the past, which no longer possesses a breath of life. Yes, gentlemen, if this age is really impious and atheistical, one code will not suffice for its amendment; society will undergo the pernicious empire, for the *public mind is the most invincible of all necessities*—(marked approbation.)

CASE OF GEORGE WILSON.

From the Philadelphia Inquirer.

At the opening of the circuit court of the United States yesterday morning, Mr. *Dallas* moved that a day be fixed for passing sentence on the indictments to which *Wilson*, the mail robber, had pleaded guilty.

On the question being asked, whether there was any objection to the motion, Mr. *Kane*, who had been formerly assigned as one of Wilson's counsel, remarked that he found himself embarrassed by the situation in which he was placed. He said that, after Wilson's conviction and sentence at the last court, considering his professional connexion with him as terminated, he had yielded to what seemed to him the general wish of the community, as well as to his own clear impressions of public policy, in recommending him to the clemency of the executive; that one of the prominent grounds of his recommendation had been the continued liability of Wilson to the punishment of grievous imprisonment; that the same consideration had been urged in the different memorials from the citizens; and that it had been at least impliedly acquiesced in by Wilson, as the condition on which the president should be solicited to spare his life. The pardon had been made accordingly: It rested in its preamble, the language of the memorialists, and was obviously intended to leave Wilson still liable to imprisonment on each of the charges now before the court. Under these circumstances, Mr. Kane said, it would not comport with his ideas of fairness and duty towards the executive, the community, or the court, to take advantage of the phraseology, which had been employed in framing the pardon, to claim for it a more extended operation. He should not, therefore, now offer that instrument to the judicial notice of the court. He added, that he had not thought it necessary to present to Wilson's mind the different questions which had suggested themselves to his own, while examining this subject: But he referred himself to the court for their instructions, if, in their judgment, the interests of public justice, or the rights of the prisoner, required of him to pursue a different course from that which he had indicated.

Judge Baldwin admitted the difficulties of the counsel, and the propriety of the course, which, under the circumstances, he had marked out for his own conduct; but he said that the pardon was, in fact, before the court, and that he did not think they could omit to notice it.

Judge Hopkinson expressed a doubt, whether the pardon could be considered as before the court in this case, unless formally pleaded in arrest of judgment. He reserved himself upon this point.

Saturday morning was then fixed for hearing the argument of the district attorney on the question.

WILSON THE MAIL ROBBER.

On Monday this case was brought up before the circuit court of the United States, in Philadelphia. The Inquirer of that city states, that on the indictment, to which he had pleaded guilty, charging him simply with robbing the Reading mail, and subjecting him to an imprisonment of not less than five nor more than ten years, judge *Baldwin* delivered an opinion, that the pardon granted by the president on the capital charge, included a pardon for the lesser crime, and that the prisoner could not be sentenced to imprisonment upon the present indictment. Judge *Hopkinson* gave an opposite opinion. The disagreement will be certified to the supreme court of the United States.

The prisoner was then brought up for judgment, on an indictment, to which he had also pleaded *guilty*, charging him with robbing the Kimberton mail. Mr. Wm. R. Thompson, a merchant of that city, who was in the Kimberton stage at the time when it was stopped and robbed, was examined, and gave a detailed statement of the circumstances of the robbery. The court then sentenced Wilson to *imprisonment at hard labor* for the term of *ten years*, the extent of punishment authorized by the law.

From the testimony of Mr. Thompson, it appeared that fire-arms had been used in the Kimberton robbery, as was the case in the Reading robbery. The prisoner had not, however, been prosecuted for the capital offence in the former.—Judge *Baldwin*, therefore, remarked to Wilson, that he probably owed his escape a second time from the punishment of death to the clemency of the president of the United States; and that if the law authorized a longer imprisonment than that to which the court had sentenced him, they would have inflicted it upon him.

INDIAN CUSTOMS.

We were politely furnished, some weeks since, by a friend, with the following extract of a letter, dated "Wheeling, January, 1830."

"I took passage at Cincinnati, in the same boat with the Indian chiefs composing the delegation of the Creeks to the president of the United States, on the subject of their apprehended ejection from the land of their fathers.

"I was made acquainted, during the time I was with them, with some very curious Indian customs, which may be new to you. The Creek Indians have a religious rite, called the *busk*, which they observe regularly in the month of July. The celebration of it appears to be thus: The inhabitants of a township having carefully collected and removed the ashes from their hearths, proceed formally to occupy four council houses, which are erected so as to form a hollow square. In the centre of this square, on the first day of the busk, a pile of wood is placed, the pieces being laid in radiating positions, which is their usual mode of building a fire.

"The officiating chief, who unites the offices of priest and physician, takes two pieces of wood, prepared for the purpose, and by rubbing them together produces fire, with which the pile is ignited; and then the Indians unite, and move around it in a kind of religious dance. From this fire each family in the township is supplied afresh, with what they esteem *new* and pure fire; and on that morning commences the seven day fast, which is kept with religious care and fidelity.—During the fast they drink the Yapon tea, (called the black drink), which they believe to be purifying and healthful, together with their bitter herbs, administered by their priest. Bitter herbs, and the inner bark of trees, are taken to sustain them during the fast, which they are enabled to continue for 9 or 10 days without much suffering.

At the village of Chatahootchie are deposited the six copper or brazen vessels, some circular and some oblong, and stamped *E* on the outside, which, according to their tradition, were given for holy purposes by the master of breath (God).

On the first day of the busk, the priest delivers them to be washed. They are then carried by six bearers around the fire, and afterwards deposited, to remain unseen, till the following year. This day is the beginning of the season when it is permitted to eat of the new fruits of the earth, (corn, wheat, &c.) and in cases where the custom has been violated, the conscientious regard the house in which the food was prepared with abhorrence. At this period also certain offences are pardoned, so that with absolution for past offences, the purification of their fast, and with new fire and with new food, they begin the year with intentions of reformed and better lives.

Then follows a kind of carnival—a general feasting, (from which ardent spirits are excluded), to which all contribute. The whole is terminated by a game of ball, a sport of which the Indians partake with an ardour and delight not surpassed in the game of ancient Greece. The game is generally played by the best men of two different tribes.

Tripping up and throwing down are permitted, and crippling and killing are not unfrequently the result, but

their law of blood for blood (at other times so rigidly enforced) is not enforced under such circumstances.

On the Chatahootchie river there are some rocks marked with letters or hieroglyphics, (from which the river takes its name); but the Indians cannot be prevailed upon to shew them to white men." [*N. Y. Dai. Adv.*

ECCLESIASTICAL STATISTICS.

In *France*, the whole expense of supporting the Catholic clergy in 1828, was 62,845,000 francs.

In *Spain*, the whole number of regular and secular clergy in 1821, was 180,242. These persons possessed property valued at $828,060,000 00, besides tithes, taxes and dues. The arch bishops and bishops of Spain have larger incomes than any other prelates in the world.

The *Latin Catholic church in Hungary* has about 4,000,000 hearers, and 3,230 places of worship, and 5,469 clergymen, with an income of $2,078,870 16.

The *Calvanistic church of Hungary* has 1,050,000 worshippers, 1,351 houses of worship, and 1,384 clergymen, with an income of $270,378 24.

In *Italy*, there are 19,391,200 worshippers, all Catholics, with 16,170 places of worship, and 20,400 clergymen, viz:

1 Pope,
46 Cardinals,
38 Arch bishops,
62 Bishops,
853 other dignitaries,
19,400 working clergymen.
Having an income of 333,444 00,

The *Russian church* has about 55,000,000 worshippers, and 230,000 clergymen. The higher orders of the clergy are richly provided for, but the lower clergy are very poorly paid.

The *Presbyterian church of Scotland* has about 1,500,000, with 1,000 places of worship, and 1,000 clergymen, with an income of $916,238, 40.

The *Established church in England* has about 6,000,000 hearers, 11,743 houses of worship, and 18,000 clergymen, with an income of $35,520,000,00.

The *established church in Ireland* has about 400,000 hearers, 740 houses of worship, 17,000 clergymen, and an income of $5,772,000,00.

There are in Scotland, who do not pay in the established church, 500,000 persons, with 333 houses of worship, 400 clergymen, with salaries amounting to $195,560,00. In Ireland, 6,600,000 persons, (of whom 5,500,000 are Catholics) 3,378 houses of worship, 2,378 clergymen, with an income of $1,172,160,00. In England and Wales, not belonging to the regular church, there are 6,000,000 persons, 8,000 houses of worship, and 8,000 clergymen, with an income of $22,200,000,00.

	In Christendom,	
124,672,000	Catholics pay their clergy	$27,110,640,00
54,056,000	Protestant do.	52,762,640,00
41,500,000	Greek church do.	3,274,400,00
Total—annual expense of supporting the clergy,		$83,047,680,00

This is probably too low an estimate with respect both to numbers of clergy and amount of remuneration. The tables which we here use, are found in the Encyclopædia Americana; they are not sufficiently comprehensive to allow of a satisfactory calculation, with reference to many nations. It may generally be remarked, that the Catholics have more clergymen in proportion to their lay members, than have the protestants; yet the former pay about 20 cents per annum, and the latter nearly one dollar per annum, to support their clergy.

MAGNIFICENT PUPPYISM.

From le Globe—a Paris paper.

The following curious episode of the journey of Charles X. has been sent us from L'Aigle, where he spent one night. It appears from thence that the fallen court has not changed any thing in its habit of the ridiculous etiquette, as if that could be of any use to them.

M. de C. the richest inhabitant of L'Aigle, who possesses a fine chateau, was informed by the authorities that Charles X. was next day to proceed from Verneuil to L'Aigle, and that he would stop one day there. M. de C immediately set off for Verneuil, to learn what he could do for him. He applied for instructions to M. Hocquart, the Maitre de hotel, after a previous conference with the commissioners of government, who accompanied the ex-king. He returned home then to make the necessary preparations at his chateau; he destined for the use of Charles X. an apartment, consisting of a saloon, a bed room usually occupied by madam de C's mother, and a grand dressing room fit to lodge a valet-de-chamber in. Divers apartments in other parts of the chateau were intended to be appropriated for the use of the rest of the family. Mattrasses and straw were prepared for the suite in the corridoirs and unoccupied rooms, the proprietor, his young wife, her child and nurse, taking refuge in the servants rooms, where they established their dining room, bed chamber, kitchen &c., contenting themselves with such scanty accommodation. It is to be noted that, according to the instructions of the ex-king's Maitre de hotel, separate apartments had been given to the duchess de Berri, and to madam de Maille, who accompanied that princess; as well as to the dauphin and the dauphiness, madam Gontaut, with the duke of Bordeaux; mademoiselle de Berri, her governess, &c.

At seven o'clock in the morning, M. Hocquart with a crowd of culinary officers and wagons, laden with plate and utensils, arrived, as was customary during the travels of the court. He wanted immediately to know the arrangements taken for the lodgings of the court. He was first conducted to the king's apartment, which he crossed to enter his bed-room. He then turned solemnly round to M. de C—— and exclaimed—"Sir, it is impossible that the king can sleep here!" "Why this is the best room in the chateau, and the only one I thought worthy of the king. I intended it for him, it being my mother's own room." "Very unfortunate, indeed, but the king cannot possibly sleep here." M. de C——looked at the Maitre d'Hotel perfectly astounded, when the latter hastened to add: "Sir, etiquette formally forbids it. The king can only sleep in a room behind which there is another sufficiently large to contain his attendants during the night. It is impossible to get over the indispensable rule." "There is but one expedient, then, sir, to move the king's bed into the saloon, and to convert it into a bed-room." "Do so, sir." The bed was immediately taken down, with its rich draperies and ornaments, which were removed, together with a looking glass at the foot of the bed. They were all fixed in the saloon, holes being bored to receive the nails and hooks. The destruction was considerable, every thing being done, as it is no doubt customary at court. The other arrangements were approved.

After organizing all matters concerning the lodgings, the Maitre d'Hotel installed his people in the kitchen. Every thing was pressed into the service, not an oven being left to prepare the proprietor's own dinner. In the midst of these occupations, M. Hocquart sent for M. de C—, and said to him, with an air of alarm, "sir, I am in despair." "If I can do any thing, sir, command me," was the answer. "Oh, sir! I am a ruined man." "Good God, what is the matter, then?" "Why, sir, I brought twenty cooks from Rambouillet; and would you believe it, these wretches, have, by degrees, abandoned us, so that only eleven of them remain? What can I do?—What will become of me? I cannot possibly manage with eleven cooks. I implore you will save me, to procure me 25 women from town to assist in the kitchen." "I'll try to get them, if that is all." The campaign now commences—the 25 women arrive. M. Hocquart gets somewhat calm, and sends word to M. de C— that he requires two tables—one of 25 covers for the attendants, and another of eight for the king. They are procured. A fresh message is sent to madame de C—. "The king cannot eat on a round table. Etiquette forbids it, that would be a quite unheard of infraction, really we must not think of it"—"I am very sorry; but no other tables are in fashion, and I possess only such a one." "That is unfortunate madame, but the king absolutely cannot dine on a round table." "Well, sir, I can only give you what I have got;" and madame de C— not choosing to humor the whim of the Maitre d'Hotel, he was obliged to resign himself, and for the first time since the age of Louis XIV. a king of France was now seen to dine on a round table.

NILES' WEEKLY REGISTER.

FOURTH SERIES. No. 11—VOL. III.] BALTIMORE, NOV. 6, 1830. [VOL. XXXIX. WHOLE NO. 999.

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT $5 PER ANNUM, PAYABLE IN ADVANCE.

MR. BARBOUR'S VALEDICTORY. Mr. P. P. Barbour, a member of congress from the state of Virginia, having accepted of the president of the United States the office of district judge, has published a valedictory to his late constituents, which will be found in a subsequent page. We think that, "with propriety," according to the first and best impressions on his own mind, he ought to have closed his address with the fifth paragraph, the rest being uncalled-for and wholly gratuitous—if not imprudent. It is not well in a judge to mix himself up with the "politics of the day"—to discuss, in the newspapers, doctrines and opinions that may come before him on the bench;—but Mr. Barbour is so fond of disputation about certain constitutional points, which he has often drawn out so finely as to be scarcely discernable, (we have thought) by himself,—that he suffers few opportunities to pass without bringing them up for consideration and argument. Judge Johnson, of the supreme court, comes in for some part of this mild censure, as to his late publications—but his opinions were not altogether gratuitous, and the particular condition of his own state may have excused his desire to assist in putting down the barbarism of "nullification"—which, being established, puts an end to *any* and *every* system of government not resting wholly on the *sword*, for it will admit of no other arbiter than arms.

Mr. Barbour has advanced some propositions which we think that he himself will regret, when he has divested himself of his ardent political feelings in the cool and deliberate examinations of a judicial office. In his zeal for the support of his own favorite dogmas, he approves the free exercise of a power by the executive that never was contemplated; and so odious, that it has not been exercised in England for about 150 years. On questions affecting the *conscience*, ninety-nine men cannot have a rightful influence over the actions of one man; but in matters of *expediency*, a decent respect for public opinion, with a reasonable fear of the rightfulness of individual judgment, should teach the one man to give way to the opinion entertained by the ninety-and-nine of his brethren, each as much interested in the proceeding under consideration as himself. If the president of the United States, in his late exercises of the power of the veto, repudiating all his old opinions, believed that appropriations for internal improvements were *unconstitutional*, he was unquestionably right in refusing to approve the bills which had passed both houses of congress——but if their rejection grew out of considerations of the expenditures of money that would follow his signature, we cannot believe that he was in the line of that courtesy which should exist between the different branches of this government. And it is clear to us as the light at noon day, *that the representatives of the people, having the sole right to assess taxes, must naturally possess the power of disposing of their proceeds.* This principle is so fully established, that never, until now, in England or the United States, we believe, was its operation forbidden by a chief magistrate. The people, surely, must have a right to disburse their own money—they are capable of being their own guardians; and if not, "angels in the form of men will not descend" to take care of them. And it may be observed, that judge Barbour compliments the president, not because of his veto on *constitutional* principles, but as checking "the career of improvident *expenditure*, on internal improvement;" a doctrine which, at once, strikes at the very root of the *representative system*, and casts into the hands of the executive officer a tremendous power. It is impossible that any president should know the wants and wishes of the people so well as *their* members of congress, expressly elected or appointed to carry such wants and wishes into the general government; and, as before observed, those who pay the taxes have an unalienable control over their disbursements, except in a government purely despotic—such as was that of France, *when the parliament only registered the ordinances of the king.*

We are not now speaking of the particular merits of the veto commended by judge Barbour—but the broad principles hinted at, are worthy of the most profound reflection of every REPUBLICAN. The house of representatives of the United States is the rightful purse holder of the nation; and when it shall lose this original and most important feature in its constitution, the public good must become a creature of party and passion. Matters of opinion are often so nearly balanced in congress, that it may be impossible to pass money-bills without the assent of the president. At one time, all appropriations for the army, at another, all for the navy, might have been arrested by the will of an individual—a power which, certainly, it was never intended to vest in any one man, though a president of the United States.

One other remark, and we shall close for the present. As it is the duty of a representative of the people to give effect to the general wishes of those who elect him, a "non committal," on his part, may be no other than rank hypocrisy or dirty cunning—but, as it is the business and duty of a judge to stand aloof from the popular feeling, and be guided only by the law, (which he has no part in making), we think that he should never beforehand commit himself, or make pledges as to the course that he will pursue, in contested cases. Mr. Barbour's opinions were so often expressed in congress, that no one could mistake them—but his present act, *as a judge*, has rendered him incompetent to the performance of any duty which may involve a righteous determination on the points referred to. A *representative* has much latitude for opinion—the *judge* should be ruled only by the law. These are wide differences, indeed.

We mean no personal disrespect to *judge* Barbour, by these remarks. We have long regarded him as one of the most worthy and upright members of the house of representatives—and liberal too, when his particular opinions, or prejudices, were not involved; and then he acted on *party*-grounds just like other men. Witness, his votes to impose *extra duties* on coarse wool and molasses, in 1828—though he now congratulates the people because the latter has been taken off!

"AN AGE OF REVOLUTIONS." It has cost us no small portion of time and labor, this week, to prepare a sufficient *record* of the wonderful events which have lately happened in Europe, and are yet going on. Every successive arrival unfolded new and important things—the chief of which we have noticed. We have reached another "age of revolutions," but widely differing from the last that we witnessed. All was then a wild anarchy, and seemed mainly struggles for power, lustful and bloody—now the people rather seek *reformation* than desire *destruction*, and would appear to have a settled purpose of regaining some part of their long-lost rights, seeking peace under the sword, as the sword interposes itself to prevent an improvement of their condition.—Their great purpose is to obtain an equality, and render their secular and ecclesiastical chiefs more responsible to the common sense of mankind than heretofore, and to be relieved of those oppressions, personal and pecuniary, which have weighed them down, and, as it were, chained them to ignorance and poverty. We have always regarded *a national church* as the greatest curse inflicted on the human race, and often wondered at its endurance—so foul and filthy as it is, so lewd and debasing—and, as we have thought, *blasphemous*. The mild and benevolent religion that we profess, demands not confederations of priests, nor armies of soldiers, for its support. If christianity cannot rest on its own good principles—it is not what we have been taught to believe that it is. Armed men had nothing to do with its institution, and cannot be brought into its support, unless in infa-

mous lustings after power, and base enslavements of the minds, as well as the bodies, of men. The tythe-gatherer in England is under the same influences that directed the followers of Mahomet, to propagate, or maintain, his religion by the sharpness of their scimitars; and so it is, and must be, whenever and wherever a *national church* is established. The foundation is force—the means ignorance, with superstition and hypocrisy for its agents, no matter what the professions or forms of such church may be,—which we always mean to separate from the *people* that belong to it. Individuals attached to those churches, are as worthy as other persons—but corruption is at the root of all such establishments, and the fruit is pernicious. How beautiful is it, in our own land, to witness the kind and tolerant spirit that generally prevails among its religious professors!—Advice, instruction or reproof, is not wanting—but persecutions, for opinion's sake, are evanescent and rare. We have many and most powerful inducements to charity—few to hypocrisy; which latter are often corrected by public opinion, every sect being equal in the law; no one either supported or oppressed by the government. And so, also, in regenerated France, the law makes no distinction among those professing to have a common FATHER and GOD; and we trust from what is now going on in Europe, that the *freedom of mind* is about to be universally admitted. The struggle, in many countries, will be terrible—the priests will not give up their dominion and fat things without desperate efforts to retain them, nor kings part with their claims to a "*divine right*" to govern, unless of necessity—notwithstanding, in the acknowledgment of the new king of France, they have clearly admitted that kings were made for the people, and not the people for kings. A glorious principle is thus settled, and it is out of the power of man to overturn it.

But it is our decided opinion that a general war in Europe will precede the accomplishment of these principles—the contest in Belgium leading the way. It would appear that this contest cannot now be amicably settled—the passions of the people are inflamed by the shedding of blood, and there was a great rushing of them to arms. We suppose that Holland is unable to reduce Belgium, and that the war will naturally be extended. The princes who have possessions on the Rhine, will enter into the quarrel, and then France will lend her mighty means—the cause of Belgium being her own. By the letter of gen. Lafayette to gen. Bernard, she stands committed to this course—and what if she pursues it? Who can count the consequences? We think also that England cannot stand still, in a general war. Perhaps, policy will lead her into the contest on the continent, that peace may be kept at home; but in the result, *reformation* will take place in England, too. The spirit of improvement is abroad—light has gone forth, and we look for a great and lasting amelioration of the condition of man. We in the United States have no inducement to take any part, except in good wishes, in these events. A strict neutrality may be observed by us—for all the grand principles sought by Europeans are in actual operation with us; and happily, we are so far removed from the theatre of action, that, with due caution, peace may be maintained with all nations—and with it, what immense amounts of labor and capital will seek a home and resting place here!

We shall now hastily run over the chief events noticed under our foreign head, in subsequent pages.

1. The duke of Brunswick has been dethroned, and fled to England.

2. The king of Saxony has been deposed.

3. Hesse, and other parts of Germany, were much disturbed.

4. A dreadful civil war rages in the Netherlands—and the loss of life and property has been enormous.

5. Much discontent has shewn itself in Prussia.

6. Agitations are reported in Russia.

7. Italy is filled with a spirit of insurrection, and the great military force of Austria will hardly keep it down.

8. Spain is gathering the elements of revolution, and a deposition of the king must be calculated on.

9. Portugal is reported as having commenced the work of reformation, and it is even stated that the usurper had fled from his capital.

10. Turkey is a grand theatre of massacre and civil war—but the Greeks yet had peace.

11. Great Britain remains unmoved, but is in an exceedingly difficult condition. Her resources for war are mighty—but her statesmen will preserve peace, if they can.

12. France, regenerated, stands nearly at the head of nations. Her power is immense. She may be said to have settled down under her new constitution and king; and all her people, beginning to feel that they have an integral interest in the prosperity and glory of their nation, will act as by a common impulse for the common good.

13. There has also been another revolution in Colombia—severe and bloody battles had been fought, and Bolivar was again at the head of the army, to rule the country by the sword.

14. There are strong indications of an insurrectionary spirit in Brazil—it will not at all surprize us to hear of the expulsion of the emperor.

15. Buenos Ayres, Chili, Peru, &c. are in a miserable condition.

The commotions in the South American states are totally different from those in Europe—the latter are for the sake of sublime principles, the former for the benefit of military profligates, who lead the people to murder one another, that they may have preference and power. We never hoped much good of these, because of their establishment of *national churches*. It is a broad farce to speak of liberty, under such circumstances. But the people may get wisdom through suffering. Adversity is a dear school, but some will not be taught in any other. The military chiefs of the south have desolated and depopulated some of the fairest portions of the earth, and yet the people have not resolved to act for their own preservation—Such is the dominion of ignorance.

FLOUR. The British duty is now 11*s.* 2½*d.* per barrel, equal to two dollars and fifty cents, the average price of wheat having declined! We have volumes of circulars about the weather, and so forth. There is no dependence on this market. It is possible, that there may be some demand for France, where the supply seems rather deficient; and the prospect of a general war in Europe may have much influence over the price in the United States. Still, the *home-market* is the only one that can be much valued.

FRENCH REVOLUTION. A grand celebration of the late events in France took place at Washington on the 28th ult. The "working men"—the (printers among them, with a press at work on a stage), made the most interesting part of the procession, which was joined by the president of the United States, and the chiefs of departments, &c. Walter Jones, esq. delivered the oration, pronounced at the capitol. The following are related as among the interesting incidents of the day—

Gen. *Bernard*, who, at the request of the French residents, marched at their head, bore the venerable standard which was presented forty years ago from the French national convention, by the hands of the minister *Fouchet*, to the American government, on the reception of which, president Washington made his celebrated speech complimentary of the French people. The standard was carefully kept in the war office, and is in good preservation, though somewhat faded.

The other incident was, hearing at intervals, during the procession, and as a prelude to the oration, the martial note of the trumpet which accompanied the flag of truce that went in to receive the capitulation of the marquis Cornwallis at Yorktown, blown too by the same veteran who bore the instrument on that interesting occasion.

☞We gave our readers reason to expect a copy of the oration pronounced by Mr. *Wirt*, at Monument Square, at the Baltimore celebration of emancipated France. It has been published, but the *copy-right* is secured, and its circulation will be cold and sluggish,—not reaching one among thousands who might have been stirred up by its eloquence and power. We have not yet read it, and shall not purchase it—under its present incumbrance, though willing to have contributed the cost of many copies for its spreading among the people.

MR. RANDOLPH. The New York Evening Post says that private letters from St. Petersburg, announce the speedy departure of our extraordinary minister to that court! Ill health is said to be the cause of it.

A CARD. Dr. Pascalis' best respects to the editor of the Commercial Advertiser, and would beg leave to inform him of an erroneous article in the statement of the various premiums which have been determined for distribution by the American Institute, to the artists and contributors of their late fair. It is that of a *silver medal to Dr. P. for his attention to the progress of the culture of silk.* [See last REGISTER, page 162.] This is a mistake, which has originated from accidental and pardonable motives; but as an honorary member, and admitted in all the labors and councils of the institution, the doctor could not certainly, be at once the *donor* and *receiver* of premiums.

"NEW YORK DAILY HERALD." This is the title of a new paper about to be issued in the city of N. York, at $10 per annum, from which will also proceed the "Patron of Industry," at $4—to be edited by Mr. E. V. Sparhawk. This paper will be devoted to a support of the "American System," and such a one is greatly needed in New York. We want something to combat, on the spot, the British notions and doctrines, *imported and retailed there*, like packages of paddings made out of old clothes, or log-wood blues, which Englishmen are ashamed to offer *at home*, though "good enough" for us—if they will pass, like "Peter Pindar's razors." We have a lively hope, that this paper will take "*the* Bull by the horns," no matter how much he kicks and flounces, and "pin him to the ground," let him bluster as he may—expose his perjuries, and proclaim his frauds. John will make a great noise, and *bully*-it largely—but if met face to face, as he was by an *individual* of New York, some time ago, at the *custom house*, he will cower like a dog, detected in midnight killings of sheep—and, perchance, run away, to ☞avoid a residence in the penitentiary, rejoicing at his *awful* escape from the "natives." We hope that the "Herald" will be liberally patronized; and it must be well supported by *the people*, to resist the action of the hundreds of British agents and their disciples, whose business it is to defraud the revenue at New York. It may save the United States a million of dollars a year—if it speaks truth, without fear, as we trust that it will—that the *British system* may be broken down in that city. We need a faithful sentinel there.

THE NAVY COMMISSIONERS. The "New York Courier" has the following paragraph. The paper, however, has no more respect than as a mere "vent" of the opinions of a certain set of politicians.

A plan for a perfect re-organization of the navy board will, we learn, be presented to congress at the ensuing session; and public opinion unites in the conviction that a reform is essentially required in this branch of the naval service.

THE WEST INDIA TRADE. The people at Eastport, &c. are making complaints because that British vessels are loading with plaister, &c. to proceed to southern ports with their cargoes, and thence to the British West Indies, with the fruits of them—*in advance;* while their own "plaister lighters are hauled up in ordinary." If there is any *cream* in this trade, it will be skimmed by the ship-owners of the British provinces. They have a liberty which our own citizens have not; for these cannot proceed to Jamaica, &c. until *leave* is returned from England, because of the acceptance of her terms, in this respect, by our government. An oversight was committed,—the *time* should have been fixed. It is awkward to give to a foreigner a right, in our own ports, which a citizen has not. The British West Indies are *not* opened to us, though British vessels may enter from or clear for them, at will.

BOSTON. The election of a representative to congress from this city, in place of Mr. Gorham, who declined a poll, took place on Monday last. There has been much and ardent discussion on the subject. Mr. Appleton was the candidate of the friends of the "American System," and Mr. Lee, reputed author of the "Boston Report," was supported by the anti-tariffites—both however regarded as political opponents of the present administration. The contest has brought out many curious proceedings of the mechanics and manufacturers of Boston, in days long past, shewing that the idea of protecting the national industry is just as old as that of the revolution—and indeed, formed no small part of the principle of the latter. We shall copy several of these things, for the benefit of some who yet persist in charging the American System upon us as of modern suggestion. But, in truth, the foundations of that system were laid in England two or three hundred years ago, and are still in all their ancient solidity and usefulness—the "free trade system" being for *exportation*, only.

It appears that Mr. Appleton has been elected by a majority of about 800 votes. The tariffites and the anti-tariffites exerted themselves to the utmost, political questions having more or less influence. Mr. Webster is said to have addressed 6,000 people, three hours, on the policy and necessity of the protecting system. The other party was equally active—but it is now settled that Boston will support the tariff.

MASSACHUSETTS. Nathan Appleton is elected to congress from Boston—Appleton 3,341, Lee 2,477. Mr. Everett is re-elected from Middlesex by a large majority. In Norfolk district, now represented by John Baily, gen. Dearborn is supposed to be elected; in two towns he received 572, his opponents 187. In Essex south district, now represented by Mr. Crowninshield, the town of Salem gives for Crowninshield 336, for Choate, the regular national republican candidate, 448, and for Cabot, the Jackson candidate 76; Chelsea gives 25 for Choate and 9 for Crowninshield—result doubtful. In the Bristol district, now represented by Mr. Hodges, there is probably no choice—There were four candidates who have received in 11 towns, as follows: Hodges 611, Ruggles 463, Freeman 328, Bayties 115.

NEW JERSEY. The legislature met on the 26th ult. Peter D. Vroom, was re-elected governor, and James D. Wescott, secretary of state.

OHIO. The returns are not yet all in for governor, &c. The list for congress, as published in our last, is correct. The "State Journal" says that the senate is equally divided—18 Jackson and 18 Clay, one among the former elected against the "caucus ticket;" and that the house of representatives, of 72 members, has 38 for Clay, 29 for Jackson, and 5 who were elected in opposition to the "Jackson caucus tickets."

Gen. McArthur is elected governor—but the majority is not large—probably between 2 and 4,000.

The "Jackson" majority in the last legislature, on joint ballot, was 10 or 12.

SOUTH CAROLINA. It now seems settled that the convention project has failed for the present, though the character of all the members elected to the legislature is not yet known. Mr Mitchell, late a member of congress, and somewhat celebrated for his differences with others of the South Carolina delegation, who is a decided "anti-nullifier," has been again elected to congress, from Georgetown district, by a majority of 307 votes over Mr. Campbell.

Messrs. Drayton, McDuffie, Martin, Barnwell, Blair, Nuckols and Davis are re-elected to congress, and John H. Griffin, in the place of Mr. Tucker, who declined a poll.

GEORGIA. Messrs. Lumpkin, Wilde, Lamar, Foster, Thompson and Wayne, have been re-elected to congress from this state, by general ticket; Daniel Newman takes the place of Mr. Haynes, by a large majority. The lowest of the elected, Mr. Wayne, had 20,525 votes.—Mr. Haynes only 17,035—Charlton 14,779, Gamble 13,538, Grantland 13,011, &c. The returns are not all in, but it is thought the results cannot be changed.

GENERAL WASHINGTON. The Watertown Register says, it is a fact, not generally known to Americans, that

the father of his country, held the office of marshal of France, under Louis XVI. at the same time that he was performing here the duties of lieutenant general in the revolutionary army. He was created marshal, to enable him to command Rochambeau, who in rank was a very old general, and could only be commanded by a marshal of France. On a picture presented to him by the earl of Buchan, was written, "to marshal general Washington."

EMPLOYMENT OF THE ARMY. *Editors of the National Intelligencer.*

Washington, October 29th, 1830.

Gentlemen: The subjoined letter from the department of war, in reply to one addressed by many members of the house of representatives, to the president of the United States, at the close of their last session, being designed for their common information, I beg leave to present it to them through your paper.

With much respect, I remain your obedient servant,

C. F. MERCER.

Department of war, Oct. 8th, 1830.

Gentlemen: The president of the United States has taken into consideration the memorial which you addressed to him last summer, recommending the employment of one thousand soldiers of the regular army, under skilful engineers, in constructing a tunnel contemplated to unite the waters of the Chesapeake and Ohio. He has directed me to say, that it is doubted whether the obligations of a soldier impose upon him as a duty the performance of such work as suggested in your memorial; and that the troops could not be withdrawn from their respective stations and duties without detriment to the public interest.

Very respectfully,

P. G. RANDOLPH, *acting sec. of war.*

Hon. *C. F. Mercer, and others.*

INTERESTING ITEMS.

Alabama. The people of the neighborhood of Selma have been much alarmed because of an expected insurrection of the slaves, and three regiments of militia were ordered out; but the greater part of the men had been dismissed.

New Orleans. The health of the city was improving at our last accounts—but yet the hospitals were full, and contained 244 yellow fever cases.

Liberia. We have pleasant accounts from this colony. It is healthy and prosperous—and the people are happy and contented. Many are becoming rich.

Diabolical butchery. Near Salisbury, N. C. a man named Osborn, lately split the head of his mother-in-law with an axe, and then chopped her body into pieces!—He next killed one of his own children, and chopped the body into two parts, and prepared to fire the house, and consume their remains; but the arrival of some neighbours prevented this, and he was taken into custody.—We suppose that he *must* have been deranged, though it does not appear that he was, except by his passion.

Indian murder and execution. We are indebted (says the Sandusky Clarion) to a gentleman of this town for the following extract of a letter from the post master at Upper Sandusky, dated Oct. 9th, 1830:

"Yesterday a Wyandott was executed for murder, committed on another Wyandott on Monday night last. On Thursday, the sentence was pronounced, and on yesterday, (Friday), in the presence of a large concourse of both whites and Indians, he was executed, at a quarter past 4 o'clock, P. M. He was shot (kneeling by his grave) by six men, appointed for that purpose. He was condemned by the voice of the nation. Three christian men and three pagans were chosen as executioners."

Mr. Monroe, former president of the United States, arrived at New York last week, with a design of spending the winter with his daughter, the lady of the postmaster of that city.

Weirich, the mail robber, says the Pittsburg Gazette, of the 26th October, was tried and convicted, during the last week, before judge Wilkins, upon two indictments, and was in the one case sentenced to eleven years, and in the other case to ten years' confinement in the western penitentiary of Pennsylvania.

And so this man is actually disposed of, for life.

Liberty of the press. A gentleman describing the late contest in Paris, says—"Several mortal wounds were received by the military, in consequence of the people loading their guns with *leaden printing types* instead of balls, which were very scarce in the first day of the insurrection. [This was *distributing the letter* with a vengeance. Of course the type was double *cannon.*"]

[*London Globe.*

The Gazette of Cairo. This journal is one of the most remarkable literary curiosities of the present day. It is the first attempt of the kind which the Turks have made to establish a periodical in their native tongue within the limit of their eastern dominions. About a twelvemonth ago, the viceroy of Egypt, in his anxiety to further the introduction of European refinements among his subjects, determined upon publishing a species of official gazette for the purpose of giving publicity to state documents, and forming a record of domestic occurrences of moment, the arrival and departure of foreign shipping, and the introduction of any mercantile and agricultural improvements. It is compiled in Turkish and Arabic; the notices inserted being given simultaneously in each language, and each of them occupying one of the two columns which are contained in every page. The head piece consists of an engraved vignette, representing a pyramid, with a palm-tree rising from its base, and a moiety of the sun's disk rising above the horizon. Within the pyramid stands the title, "the occurrences of Cairo," for there is no expression in Turkish or Arabic which is at all synonymous with our word newspaper or gazette. The first article is invariably devoted to an announcement of meteorological observations made at the place of publication. The original editor was one Aziz Effendi; but he disfigured the reports of the proceedings in the council of state with such pompous and fantastic interpolations, that the pasha was obliged to get rid of him, and entrust the task to the secretary of his divan. [*Athenæum.*

The latest decision. "You is a robber," said an English pawnbroker's wife to a neighboring shoemaker.—"You has robbed our Henry. You has taken him with you to ale houses, where he has lost all his money."

The shoemaker was a man of spirit: but as he lived in a country of laws, he took no other vengeance than that of carrying the defamer before a court of justice.

Judge Bailey heard the evidence, attentively weighed all the arguments, and then decided that to call a man a *robber* was not defamation in the legal sense; but that if any one called another a *thief*, he rendered himself liable to punishment.

As American law is essentially the same as English, persons who wish to objurgate with impunity, will do well in remembering this distinction.

Judge Washington. The Philadelphia Daily Advertiser says—In the new room of the United States district court, an elegant marble slab has been placed in the rear of the bench, to the memory of the late presiding judge, bearing the following record:

This tablet records
the affection and respect
of the members of the Philadelphia bar, for
BUSHROD WASHINGTON,
an associate justice of the supreme court of the
United States:
alike distinguished
for simplicity of manners,
and purity of heart;
fearless, dignified and enlightened as a judge;
no influence or interest
could bend his integrity or
bias his judgment,
a zealous patriot and pious christian.
He died in Philadelphia
on the 25th November, A. D. 1829,
leaving to his professional brethren
a spotless fame;
and to his country,
the learning, labor and wisdom
of a long judicial life.

Most extraordinary case. About three weeks since, in Dublin, a young girl named Anne Taylor, aged eighteen years, in a fit of despair, drank a quantity of vitriol. She was instantly seized with the most violent pains,

and removed to Mark's hospital, where the usual remedies for neutralizing the dreadful effects of the vitriol were applied. Such, however, were the consequences of the poison upon the unfortunate creature, that she threw up four inches of the entire cylinder of the stomach, and the inner coats of the tube leading down to the stomach. Both of these have been preserved and have been sent to the college of surgeons. From the time the wretched woman was sent to Mark's hospital to the present day, she has been under the care of surgeon Corbet, and, by the exercise of his medical skill, Anne Taylor is now so far recovered, as to be able to take the nourishment which is plentifully supplied to her in that valuable institution, and in the course of last week she was strong enough to walk about the room.

[*Dublin Morning Register.*

Rocky Mountains. The St. Louis Beacon of October 7th, mentions that Messrs. Smith & Jackson had just arrived from the Rocky Mountains, which place they left early in August. They had two four wheel wagons in company, which left St. Louis last spring, went to the Mountains and have returned. It is stated that they have done well; that they bring in a large quantity of furs, and are richly rewarded for their perils and enterprise. They have had no men killed by Indians, nor any deaths. Mr. Smith has been out five years, and has explored the country from the Gulf of California to the mouth of the Columbia.

Tit for tat. In the address of the Seneca county anti-masonic convention, we find the following inquiries.—"Have anti-masons robbed a wife of her husband, and children of their parent?" "Have they murdered a brother?" We answer yes. Two of the signers of the anti-masonic "declaration of independence" have been convicted of murdering a "husband and a parent," and are sentenced to be hung at Batavia on the 5th of next month!—the punishment of one of them, however, has been commuted through the clemency of gov. Throop.

Precisely the same reasoning that would implicate all masons in the murder of Morgan, would make all anti-masons guilty of the murder committed by the two Grays. [*Geneva Gazette.*

The elephant is remarkable for a remembrance of kindnesses, as well as injuries. One of these animals, while exhibiting at Newcastle-upon-Tyne, England, seized his keeper with his trunk, and killed him instantly—because of some previous offence, and nearly killed another, who attempted to save the unfortunate man, for his interference!

Chloride of lime. The efficacy of chloride of lime in purifying the atmosphere in vessels, has been tested in a great variety of cases. It was particularly proved in the Spanish ships which were employed in transporting troops preparatory to the late invasion of Mexico. The New York Daily Advertiser recently published a detailed account of the success which attended its exhibition on this occasion, taken from the Christian Observer. It is urged, and the suggestion should be inculcated and enforced, that no vessel should go to sea without a competent supply of this article. If it be found as sure a preventive against disease as it hitherto has been, the performance of quarantine may perhaps be dispensed with in many instances, which would be highly advantageous and convenient both to merchants and passengers.

[*N. Y. C. Adv.*

French anecdote. M. Jacques Lafitte, one of the ablest of the financiers and politicians of France, is indebted for his elevation to the following accidental occurrence. During the consulship of Napoleon, Lafitte, being then a simple *commis* with only 1200 francs salary, was one day sauntering in the garden of the Tuilleries when he saw a pretty young lady walking near him, and alone. He said to himself, loud enough to be heard by her—*voila une belle femme; je voudrois qu'elle fut la mienne*—(there is a pretty woman—I wish she were my wife). The lady, like all the rest of the daughters of Eve, was not insensible to flattery. She sent for him to her dwelling—that dwelling was the Tuilleries, and the lady—Pauline, sister of the first consul! This gave a new turn to affairs, and Lafitte's fortune was made.

The Ignis Fatuus. From the Salem Register. The following has been communicated to us by a respectable shipmaster of this town:

"After several days of stormy weather, one evening about 8 P. M. during a light shower, (which had been preceded by a hail squall); a Jack-a-lantern was seen on the main-top-gallant mast head, and an intelligent person was sent up to examine it. He found it formed by a circle of lights round the mast head, eight or ten in number, and one or two inches apart. Each flame was about two inches long, was, where it joined the mast head, about the size of a knitting needle, and the extremity larger than the flame of a candle, and nearly as bright, of a pale blue color, each making a noise similar to steam out of green wood while burning, no smell was perceptible. Upon striking it with the hand the lights were extinguished and small sparks adhered to the hand, then disappeared. In a few seconds, the lights again began to burn; after several blows they entirely disappeared.

The above description was written at the time, and may be relied on as accurate.

Alfred. The following extract from the laws of Alfred, is prefixed as a motto to sir J. Mackintosh's history of England.—"Hence I, king Alfred, gathered these things together, and commanded many of those to be written down which our forefathers observed—those, which I did not like by the advice of my Witan I threw aside. For I durst not venture to set down in writing over many of my own, since I knew not what among them would please those who should come after us.—But those which I met with either of the days of me, my kinsman, or of Offa, king of Mercia, or of Aethelberth who was the first of the English who received baptism, those which appeared to me the justest—I have here collected, and abandoned the others. Then I, Alfred, king of the Saxons, showed these to all my Witan, and they then said that they were all willing to observe them. [*Dr. Lardner's Cabinet Cyclopædia.*

Choice toasts. The Political Clarion gives the following as toasts drank at a public dinner in Berrien county, (Georgia), on the last anniversary of independence.—

"Frelinghuysen, of New Jersey—May he be executed by an Indian, and buried by his dictator, Daniel Webster."

"Daniel Webster, of Mass.—May his passage to Washington city, to the next congress, be obstructed by thorns; and should he arrive, may his food be Indian's flesh, and served up by an African."

Carbonic acid gas. Another man has lost his life, (and his wife and a negro man nearly lost theirs, in attempting to save him), because that he descended into a well at Murfreesborough, Ten. without testing the quality of the air confined in it. Many must be sacrificed to teach the people common sense, and yet they "get wisdom" slowly.

Old brothers and patriots. The Boston Christian Watchman says, that Ebenezer, Allen, Oliver and Comfort Clafien, aged respectively 78, 76, 69 and 66, are living, each having served their country in the revolution, in the joint period of sixteen years.

Texas. Thirty wagons (says the Cincinnati American), passed through this city last week, in company, bound for Texas. They were, as we understand, from the good state of Connecticut, and were no doubt well supplied with *notions*.

Mr. *Vaughan*, the British minister at Washington, has presented the sum of two hundred dollars to a society established in that city for the relief of foreigners in distress. We hope that this good example will be followed up.

The secretary of war and his family, returned to Washington on Saturday evening last, from his visit to Tennessee.

The President of the United States has officially recognized Antonio C. Rossire, as vice consul of the king of the two Sicilies for the port of Providence, Rhode Island.

James Barbour, late minister to England, was a candidate for the Virginia house of delegates in Orange co.—but was beaten by Mr. Davis by a majority of 14 votes. Both the Fredericksburg Arena and Herald, say that Mr. B. had a majority of the legal votes, and that the commissioners have declared 30 or 40 of those given to Mr. Davis to be bad. Mr. Madison attended and voted for Mr. Barbour.

[We see it stated that the sheriff has returned Mr. Barbour—to a great excitement of the *sensibilities* of the ostensible father of the famous cast-room letter.]

Mr. Monroe, late president, being in the vicinity of Baltimore, on his way to New York, when the French revolution was celebrated in this city—was politely invited to join it; but declined because of his weak state of health, increased by domestic afflictions, expressing much satisfaction in the events which it was proposed to honor, &c.

For Liberia. One hundred and forty colored persons left Norfolk, on the 20th ult. for the African colony, accompanied by the agent, &c. Between 50 and 60 more had arrived from North Carolina, with the same destination, but could not be accommodated. Another vessel will be speedily prepared for them and others. We think that the foundation of a new nation is now laid.

FOREIGN NEWS.

From London papers of the 16th September.

The duke of Brunswick has arrived in England to keep company with the ex-king of France, *being also expelled by the people.* It seems that on the 6th September, being at the theatre, his carriage was attacked with sticks and stones—he escaped without personal injury, and, having reached his palace, ordered the troops to attack the populace, which they were indisposed to do. The tumult lasted the whole night. In the morning, the duke placed himself at the head of the military—a few shots were fired on both sides, and the duke was soon compelled to make his escape as well as he could through an enraged mob, by whom his palace was immediately fired and destroyed. He then hastened to Hanover, and thence to England. Excessive taxation and tyranny appear to have brought about this revolution. We bid this fool, "*good night.*"

The new king of the French having been acknowledged by Russia, &c. the puissant king of Spain has agreed to permit the tri-color to float over French vessels in his ports—"for the present." This is kind!

Order seems to be entirely restored at Paris, and in all parts of France. The people are exceedingly good humored, and attend to business with cheerful industry. What a change!

The case of the ex-ministers had not yet been reported on. The nomination of Talleyrand, as minister to England, remains unpopular. The press was lashing him severely, though his talents are much commended.

No material change seems to have taken place in the condition of the Netherlands. It is understood that France will take no part whatever in these affairs—provided a foreign power shall not interfere. This is as it should be. The people were yet under arms at Brussels, &c.

The Spanish authorities were much agitated, and many parts of the country are overrun with bands of robbers.

It is said that the emperor Nicholas has despatched count *Diebitch* to present his congratulations to king Louis-Philip.

Greece appears quiet—though a settlement of its government has not yet been made. The people have settled down into peace, and industry was resumed.

The Moniteur contains an official decree, by which a credit of five millions is granted to the minister of the interior for public works.

The tenth legion of the national guard were to give a grand banquet to Lafayette on the 15th September.

A splendid dinner was given to the duke of Wellington at Manchester, on which occasion he said, that that town was "*the fountain and centre of a system of commerce, such as never existed on any point of the globe till this moment.*" So the "noble duke" does *not* believe *that manufactures are ruinous of commerce!!!*

The display on the Liverpool and Manchester rail road is said to have been the most magnificent ever made in England. It was computed that 500,000 persons were present on the occasion. The directors had specially requested that their guests would not get out of their carriages, at the watering place. Mr. Huskisson and others, disregarded this request, and he lost his life by it. Others narrowly escaped. This was the only accident that happened. See page 177.

There have been some disturbances at Hamburg, and other parts of Germany, as well as in Brunswick—which would probably terminate in a redress of grievances. The chambers of Brunswick had called the brother of the *late* duke to reign over them, and so, we suppose, this revolution will end—except in extending the rights of the people. There was a mutiny at Hanover, the people crying out "down with the nobility." *Let them go!*

Insurrections have broken out in Portugal. We think that Don Miguel may soon be expected in England! Indeed, it is reported that, abandoned by his soldiers, the late instruments of his murders, he had already fled from his capital and taken refuge on board a frigate.

The British funds experienced a fall of 2½ per cent. on the 15th September. No cause is assigned for this *alarming* event.

A rise of the duty on wheat being expected, because of a decline of the price of the article, considerable quantities had been cleared at the British warehouses for *consumption.*

The duke and duchess of Angouleme have transmitted full powers to Paris for the sale of all the private property they possess in France.

An English paper, the Herald, says—We can state, with the utmost confidence, that the ex-king, as well as all the members of the Bourbon family now at Lulworth, are unanimous in acquitting his successor in having had the smallest share in bringing about or accelerating their catastrophe. On the contrary, they one and all speak of the conduct of the duke of Orleans in terms of the highest commendation.

There are stated to be no less than 200 English enrolled as privates in the French national guard.

A London paper observes—An exportation of the precious metals continues to be carried on to a considerable extent; but as yet no injurious effect has been produced on the exchanges. Within the last few days the following entries have been made at the London custom house, for the exportation of the precious metals:—For Calais, 700,000 oz. of foreign silver; for Hamburgh, 440,000 of bar and foreign silver and silver coin, 401,000 oz of silver coin.

[Silver, in England, is, strictly speaking, a mere article of commerce, seeking its highest price, like papers of pins or packages of needles.]

A list of the *proscribed* by the late king of France, and his ministers (had they remained in power), has been found, and writs were prepared to issue against them—from 15 to 20 editors were on the list, with Lafayette, B. Constant, and about 100 other distinguished individuals.

A Paris paper states, that general Lafayette has received more than 5,000 private letters, and upwards of 20,000 letters on public business; most of them from officers and soldiers on retraite, which remain unanswered. To answer the letters as they arrive daily, would, it is said, require ten or twelve secretaries.

Another revolution has taken place in *Colombia* It was commenced at Carthagena, by the partizans of Bolivar, who denounced the government at Bogota, and invited the Liberator to place himself at the head of the army, which he did, and soon after issued the following proclamation—

Proclamation of Bolivar to his countrymen.

The public calamities which have reduced Colombia to a state of anarchy, force me to quit the repose of retirement, to fulfil my duties as a citizen, and a soldier. Many of you call me, that I may assist in freeing the republic, from the alarming desolation which threatens it. Penetrated with the sincerest gratitude, I promise to fulfil, to the utmost of my abilities, the confidence with which you have honored me. I offer you all my zeal, to cooperate with you in the re-union of the family. Colombia, at present sunk in the horrors of civil war, it belongs to you to save her, and to re-unite yourselves to the government, which our common danger has placed at your hand. Forget, I entreat you, even your passions, for without this heroic sacrifice, Colombia will be no more! You will otherwise, leave the inglorious reflection, that a people who did not respect themselves sacrificed their glory—their liberty.—But no! Colombians, you are obedient to the voice of your religion, and your country.

You respect the magistrates and will obey the laws; and by these means you will save Colombia.

BOLIVAR.

Carthagena, Sept. 18, 1830.

A letter states, that deputies had arrived at Carthagena from Bogota, and Bolivar was to depart for Ocana in ten or twelve days, or about the 1st of October.

A nearly simultaneous movement appears to have been made at Bogota, and a severe battle was fought in the vicinity, in which some hundreds were killed and wounded—the Callao division gaining the victory, and compelling a capitulation on the part of president Mosquera, by which certain obnoxious persons were required to depart for Carthagena in three days, &c. It does not seem necessary to give the papers and details of this revolution, probably soon to be succeeded by another *general*, as fortunate as Bolivar. Indeed, the people of the United States seem to have lost nearly all the interest that they felt in the affairs of Colombia—in which a military anarchy alone prevails.

The emperor of *Brazil*, on the 3d Sept. published a decree convoking an extraordinary session of the general legislative assembly for the 8th September, to continue to the close of October. The reason assigned is, that the ordinary session has closed without the accomplishment of such objects as the constitution requires. He says also, that "certain legislative measures are necessary, which are demanded in the existing critical circumstances of Brazil." What they are we have not the means of judging.

It will be well if the emperor retains his power, as we are compelled to wish that he may; for much as we dislike king *logs*, we like king *bayonets* less.

Buenos Ayres is in a miserable state. All is unsettled—there is no assurance of peace. The currency is so bad that a doubloon is worth 118 dollars in it—flour was selling at 70 paper dollars per barrel.

Later news—London papers of 25th September.

A small advance has taken place in the price of bread stuffs in England, and flour was worth from 34 to 36*s.* a barrel.

It is reported, that a great military insurrection has broken out at *St. Petersburg*, commenced by the regiments of the imperial guard who had returned from Turkey—that there had been much fighting, 20,000 men being killed. This account was not credited in the English papers, but we see nothing improbable in such events as are reported. *Light is going forth.*

A complete revolution has happened in *Saxony*.—Much discontent had shewed itself at Leipsic, Dresden, &c. because of various tyrannical acts of the old king—who, it seems, not only changed his own religion, but resolved to force his people to change theirs. He appears to have given himself much up to the government of the jesuits, and the people were oppressed with taxes, and vexed by religious persecutors. About the 10th Sept. the burghers of Dresden determined on righting themselves, and they soon accomplished it. The king and his chief minister Einseidel, and their party, quickly run away, the hotel of the minister was fired, and some other excesses followed; but a national guard was organized, and placed under the command of M. de Gabbentz, and order restored, in two or three days. On the 13th, the king and his brother abdicated in favor of Frederick Augustus, (son of the latter), a liberal and enlightened prince, much loved by the people. After which the king, who is 75 years old, was allowed to return to his palace, *the revolution being over.* Some few lives were lost in these affairs. Good night, king Anthony!

Much dissatisfaction appeared at Frankfort and in other parts of Germany. It would seem highly probable, that extensive reformations will take place. Hesse is in a turbulent and distracted state. The year 1830 will be distinguished for the unmaking and making of kings,—by the people, in their own sovereignty.

The grand vizier has performed a splendid act of treachery and murder. Finding that he could not subdue the Albanian chiefs, he invited them to a conference and promised to comply with their demands, which were for 15 millions piasters, on account of pay, &c. They attended with about 5,000 men. A few days after, the vizier coaxed the chiefs to witness a review of his troops, —which they did, escorted by only 400 of their own. At a time appointed, the Turks surrounded them, and massacred the whole, not one escaping! Then these fell upon the Albanians, who remained, to the amount of about 4,500 men, and killed nearly every one of them.

Brunswick has settled down quietly under its new duke. The madman, or fool, who run away, has not yet abdicated. He is a miserable thing.

The army at Algiers was rejoicing in the revolution that had taken place in France—but a good many of the troops were afflicted with the dysentery. The beys of Oran and Constantia had submitted, on conditions.

Affairs in the *Netherlands* were taking a more serious aspect. The king had determined to re-establish his dominion, previous to granting the requests of the Belgians, who were arming themselves with all haste, the deputies from Brussels, &c. having returned from the Hague, unsuccessful. Namur had been declared in a state of seige, and prince Frederick was about to attempt an entry of Brussels, at the head of a large body of Dutch troops. Much fear was expressed of a furious rising of the people, in this event. An insurrection had broke out at Mons, which was quelled—the artillery firing grape-shot on the people. The last accounts from Brussels, dated Sept. 21, says—For the last hour the drums have been beating to arms, and the tocsin sounding. The advance posts of the royal troops are at our gates, and a smart fire of musketry has commenced. The disorder is frightful. The people's minds are exasperated. Six hundred of the burgher guard have been disarmed by the populace. Part of these guards have joined the people. Every body is hiding his valuables. The women and children are leaving the city, which is unpaved and barricaded. How will all this end?

France seems to have a rather short supply of corn—and a law was suggested to permit the importation of it at reduced duties.

The ministers have asked an extraordinary vote of credit to the amount of about 12 millions of dollars, in part to pay the expedition to Algiers, the dey's treasures not sufficing for that purpose, being too highly *taxed* by the officers through whose hands they passed! Bourmont is said to have taken good care of himself.

Nothing definitive had yet been done with the ex-ministers. Forty thousand soldiers of the class of 1829 are called into active service, and incorporated with the army.

A commercial treaty with England was contemplated. Talleyrand had reached London.

It is announced that the *Austrian* army in *Italy* amounts to 80,000 men. There had been some extensive movements among the *Prussian* troops. Many military preparations were making, but there was no immediate prospect of war, except as possibly to grow out of the affairs of the Netherlands.

Spain is on the eve of a revolution. The most severe laws had been enacted to keep the people down, and hardly a day passed without the sacrifice of some victims to political opinions. The priests are charged with making known the confessions which they extort from the people, and much of bad feeling was engendering, and much blood-shed may be expected.

It is reported that Don *Miguel* has run away from Lisbon, and sought an asylum in Spain. Lisbon was in full riot, at the latest accounts.

We hear of disturbances in *Denmark*—they are said to have no connexion with political opinions, but because of attacks on the houses of the Jews at Copenhagen.

There had been some extensive defalcations in the British stock market, and not much business was doing in it.

Among the noted French exiles in Brussels whom the revolution will allow to re-enter France are *Sieyes*, a member of the first French convention, and of the directory, afterwards a senator of the empire. Also, *Barrere*, member of the famous committee of public safety.

LATEST NEWS.

From London papers of the 30th Sept.

After six days fighting at *Brussels*, furious and deadly, with a vast destruction of property, the king's troops were *withdrawn* on the 27th September, towards Antwerp. The burghers say that *they* compelled a retreat: but prince Frederick gives it out that he retired to avoid

extremities, in the ruin of the city, &c. *Juan Van Halen*, a Spaniard of Belgic origin, famous for his narrative concerning his sufferings by the inquisition, seems at the head of the populace. Brussels was severely cannonaded, and it is said to have "rained grape shot." The killed and wounded—the alarm and terror, and flight of women and children, of all ranks and ages,—the taking and re-taking of houses—the conflagration of buildings—and the fighting in the streets, hand to hand, as it were, was dreadful. Three times were the royal forces *pushed* out of the city, (many *pitch-forks* being used), at the last time pursued by the populace. Heaps of dead bodies were gathered together, and remained unburied.—The loss of the inhabitants, in killed and wounded, was estimated at about 2500—that of the royal forces unknown. The fighting at Paris presented nothing so terrific as what happened at Brussels—though the loss of life was greater. The city is exceedingly injured, by cannonades and conflagrations. The royal troops are accused with excess of cruelty, in wanton murders, rapes and conflagrations. Van Halen, in a bold address to the people, says that an "army of Tartars would not have behaved with more cruelty and brutality." He also mentions that great numbers of deserters were coming in from the enemy, crying "liberty for ever."—Some men of the highest respectability are engaged in the Belgic insurrection.

It is positively affirmed that the Dutch troops were guilty of the most brutal excesses in an English boarding school in Brussels, where there were many young persons of the first English families. Energetic complaints have been sent to London upon this fact, as well as of the horrors committed by those Vandals in the hotel of the British ambassador.

The Brabant flag was hoisted in *Ostend* on the 28th, after two days altercation between the Dutch authorities and the people. The troops refused to fire on the inhabitants—and, finally laid down their arms. They amounted to 1500 or 2000 men. The officers fled, pell-mell; for their lives, the people being greatly incensed against them. There has also been a rising at *Ghent*, *Bruges*, &c. Indeed, the *Netherlands*, generally, may be said to be involved in a ruthless civil war. The details that have reached us are too long for insertion.—The enthusiasm of the people, so far, had prevailed, and parties of Belgians from France were pushing to the seat of action. One of them, 50 strong, left the city chanting the *Marseilles hymn*.

There have been disturbances in *Berlin*, of a more serious character than the official gazette of the government was allowed to publish. A letter from Frankfort says—

"It was not merely an assemblage of journeyman tailors, but a meeting of more than twenty thousand persons, who loudly called for the constitution promised in 1814. The armed force received orders to fire upon the crowd; the troops of the line refused, it is said, to act against their fellow citizens, but the royal guards executed the order; 60 individuals were killed or wounded.—The crowd, in dispersing, loudly demanded the constitution. The same letter adds, that new riots had broken out at *Hesse Cassel*, and that the elector had been fired at in his carriage; he is said to have been wounded."

The Albanians were bent on avenging the horrible massacre of their chiefs and fellows. They had attacked Yanina, and reduced it to a heap of ruins and ashes. All that remained of it was the castle. The loss of life must have been very large.

Paris papers are to the 27th instant, inclusive. There is a paragraph in the *Temps* of this date, respecting a rumored note to the French government, by some of the great powers of Europe, which, if authentic, is of great interest. It is said that they have requested the concurrence of the French government to the garrisoning the fortresses of the Netherlands with Prussian troops. The reply is stated not to have transpired—but it is believed, (and it seems reasonable),* that the intervention of foreign states in the affairs of the Netherlands, will not be submitted to by the French ministry, who are reported to have said, that their views of policy and correctness on this subject would not prevail against the national feeling, and that their own safety would be compromised by adopting the principle recommended to them by the great powers.

The latest news from France is contained in a letter dated September 28th, published in the London Courier.

A sitting of the society called friends of the people, was announced for the previous evening, notwithstanding a resolution which was not unanimous had been passed to hold no more meetings. It was presented by the national guard, who refused admission to the members.—The position of things in Paris was uneasy. An anticipated rupture among the ministers had broken out, and was partially quieted. The most dangerous question agitated, was the accusation of the ex-ministers. It was thought it would now be impossible to save them. It was said the ambassador of Louis-Philip to the court of Spain had met with an indifferent reception.

In the chamber of deputies on the 28th, the articles of accusation was successively voted by large majorities, impeaching the late ministers of high treason. The highest total number of votes was 297.

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POSTSCRIPT. Yet another arrival gives us one day later news.

New risings in Belgium are mentioned—the Brabant flag is said to be flying even at Antwerp, in the close neighborhood of the Dutch army. It is thought that only a small part of this army will ever reach Holland. It seems that the soldiers had refused again to attack Brussels.

The loss of life in the battles at Brussels is now put down at 7,000. The royal troops are charged with horrid brutalities—but the very women and children threw stones at them. Many young Frenchmen were dashing into the Netherlands, to assist the people. There are fresh indications of a settled resolution in France, to prevent the interference of foreign powers in the affairs of Belgium. It is posted at the corners of the streets in Brussels, that "*The house of Orange has ceased to reign.*" The towns and villages were all taking up arms The people had seized most of the strong places. Their cry is "death to the Hollanders, the assassins of our wives and children." Large supplies of arms and ammunition had been taken by them.

The duke of Wellington gave a great dinner to prince Talleyrand.

The latest accounts from Russia, say that all was quiet at St. Petersburg.

The French appear to be gradually extending their influence and power over the Arabs in the neighborhood of Algiers.

Some changes in the French ministry are spoken of, but it is thought that it will not cause any excitement.

Much indignation is expressed against the priesthood in Spain. In Catalonia especially, because that a priest, charged with an assault upon little girl 9 years old, after being punished by three months confinement in a convent, had appeared to celebrate the mass in Barcelona.

Some breaking of machines had taken place in England.

* See Lafayette's letter to gen. Bernard.

NETHERLANDS.

From Extraordinary Hague Courant Sept. 14.

EXTRAORDINARY MEETING OF THE STATES' GENERAL OF THE NETHERLANDS.

The king's speech.

The Hague, Sept. 13.—According to the programme this extraordinary sitting was opened in the hall where the second chamber usually meets, by his majesty, accompanied by his royal highness the prince of Orange, at half past one o'clock, by the following speech:—

"High and mighty lords.—The extraordinary meeting of your high mightinesses, which I this day open, is by the pressure of afflicting events, become an imperative necessity. In peace and friendship with all the nations of Europe, the Netherlands saw also the war in the colonial possessions happily ended. Peacefully it flourished—by order, commerce and industry. I employed myself with the care of lightening the burthens of the people, and in the home department gradually in bringing into action the improvements which experience had pointed out—when suddenly Brussels, and following her

example several other places of the kingdom, burst into rebellion, marked by scenes of conflagration and plunder, of which the description to this assembly would be too afflicting for my heart, for the national feeling and for humanity.

"In expectation of the co-operation of your high mightinesses, whose assembling was my first thought, without delay every measure dependent on me was taken to stop the course of the evil—to protect the good intentioned from the bad—and to save the Netherlands from civil war.

"To enter into the nature and origin of that which has taken place—to examine with your high mightinesses its true character, its tendency and probable consequences—are less the interest of our country at this moment, than to find the means by which the peace and order of the government and laws may not only be temporarily renewed, but much more durably fixed. But, in the midst of the conflict of opinions, the excitation of passion, and the different views and interests which arise, it is a very difficult task, high and mighty lords, to reconcile my wishes for the happiness of all my subjects with the obligations which I have contracted towards all, and which I have consecrated by the obligation of oaths. I invoke them all your wisdom—all your deliberation—all your firmness—in order that, being strengthened by the consent of the representatives of the nation, I may take, in concert with them, the measures which the safety of the country requires.

"In more than one quarter an opinion has been manifested that, to attain this object, it would be desirable to proceed to a revision of the fundamental law, and even to a separation of the provinces which treaties and the constitution have united.

"This question, nevertheless, cannot be resolved, except in the forms prescribed by the same fundamental law, which we have solemnly sworn to observe.

"It will be the principal object of the deliberation of your high mightinesses. I desire that your opinions may be formed, and that they may also be manifested with that calmness and perfect freedom which a question of so much importance requires. For my part, animated above all other sentiments by a desire to ensure the happiness of the Belgians, whom Providence has confided to my care, I am ready to concur with the assembly in any measures likely to lead to it.

"This meeting has also for its object to acquaint you, that circumstances imperiously require that the militia should remain embodied beyond the time during which, by the terms of the fundamental law, it ought to be annually exercised in arms.

"The means of providing for the expenses which will result from this measure, and many others arising out of these fatal troubles, will be found for the present in the credit already opened. Its regulation shall be submitted to your deliberations in the next ordinary session.

"Noble and mighty lords—I rely upon your fidelity and patriotism. Exposed before to-day to the tempest of revolution, I shall neither forget the courage, the attachment, and the fidelity, which threw off the foreign yoke, re-established the national existence and placed the sceptre in my hands, nor the valor which, upon the field of battle, has secured the throne and consolidated the independence of the country.

"Though entirely disposed to comply with reasonable desires, I will grant nothing to a spirit of faction, and will never consent to measures which would sacrifice the interests and prosperity of the nation to passion or violence.

"To conciliate, if it be possible, every interest, is the sole wish of my heart."

LIVERPOOL AND MANCHESTER RAIL ROAD,

AND DEATH OF MR. HUSKISSON.

From the Liverpool Mercury, Sept. 17.

Those who remember the arrival in this country of the tidings of the victory of Tradalgar, accompanied as they were by the melancholy intelligence of the death of Nelson, may form some idea, although but a very faint one, of the excitement and anguish with which we are oppressed at the moment of taking up the pen to give some account of the memorable proceedings of Wednesday. We would rejoice at the completion of a work of art which is unrivalled throughout the world in its nature, its beauty and its utility; we would revel in giving vent to the feelings of national pride, and of personal gratification, of which we had a delicious but brief participation with hundreds of thousands of our countrymen on that day; feelings, indeed, which still exist, because a great and glorious work, the result of skill and enterprise, has been accomplished; adding another to the powerful means by which the arts of peace are extending commerce and intelligence, and uniting the great family of man. But those feelings although they are inextinguishable, are overlaid by a weight of sorrow which language cannot describe, and from which the overcharged heart can find no relief but in tears—solace but in resignation.

We must, however, proceed to perform our editorial duty in the best manner we can, and our readers, we are sure, will pardon our imperfections, because they will sympathise in our distress.

Until the accident took place, which has clouded all the other events of Wednesday, pleasure of the highest order seemed to be the portion of the immense population of this and the neighboring districts. The town itself was never so full of strangers; they poured in during the last and the beginning of the present week from almost all parts of the three kingdoms. All the inns in the town were crowded to overflowing, and the carriages stood in the streets at night, for want of room in the stable yards.

On the morning of Wednesday the population of the town and of the country began very early to assemble near the rail way. The weather was favorable, and the company's station at the boundary of the town was the rendezvous of the nobility and gentry who intended to form the procession to Manchester. From before nine o'clock until ten, the entrance in Crown street was thronged by the splendid equipages from which the company was alighting, and the area in which the rail way carriages were placed was gradually filling with gay groups eagerly searching for their respective places, as indicated by numbers corresponding with those on their tickets. The large and elegant car constructed for the nobility, and the accompanying cars for the directors and the musicians, was seen through the lesser tunnel, where persons moving about at the far end appeared as diminutive as if viewed through concave glasses. The effect was singular and striking. In a short time those cars were brought along the tunnel into the yard which then contained all the carriages which were to be attached to the eight locomotive engines, which were in readiness beyond the tunnel in the excavation at Edge Hill. By this time the area presented a beautiful spectacle, thirty-three carriages being filled by elegantly dressed persons; each train of carriages being distinguished by silk flags of different colors; the band of the king's own regiment, stationed in the adjoining area, playing military airs, the Wellington harmonic band, in a Grecian car for the procession, performing many beautiful miscellaneous pieces; and a third band occupying a stage above Mr. Harding's grand stand, at William the Fourth's hotel, spiritedly adding to the liveliness of the hour whenever the other bands ceased.

A few minutes before ten, the discharge of a gun and the cheers of the assembly announced the arrival of the duke of Wellington, who entered the area with the marquis and marchioness of Salisbury, and a number of friends, the bands playing, "See the conquering hero comes." He returned the congratulations of the company, and in a few moments the grand car, which he and the nobility and principal gentlemen occupied, and the cars attached to it, were permitted to proceed. On arriving at the engine station, the cars were attached to the Northumbrian locomotive engine; and immediately the other trains of carriages started through the tunnel and were attached to their respective engines. The lofty banks of the engine station were crowded with thousands of spectators, whose enthusiastic cheering seemed to rend the air. From this point to Wavertree lane, while the procession was forming, the grand cars passed and repassed the other train of carriages several times, which gave the assembled thousands the opportunity of seeing distinctly the illustrious strangers, whose presence gave extraordinary interest to the scene.

A few minutes before eleven, all was ready for the journey. The signal gun being fired, we started in beautiful style amidst the deafening plaudits of the well dressed people who thronged the numerous booths, and all the walls and eminences on both sides of the line. Our speed was gradually increased till, entering the Olive Mount excavation, we rushed into the awful chasm at the rate of 24 miles an hour. The banks, the bridges over our heads, and the rude projecting corners along the sides, were covered with masses of human beings, past whom we glided as if upon the wings of the wind. We soon came into the open country of Broad Green, having fine views of Huyton and Prescot, on the hilly grounds of Cheshire on the right. Vehicles of every description stood in the fields on both sides; and thousands of spectators still lined the road; some horses seemed alarmed; but after trotting with their carriages to the farther hedges they stood still, as it their fears had subsided. After passing Whiston, sometimes going slowly, sometimes quickly, we observed that a vista formed by several bridges crossing the road gave a pleasing effect to the view. Under Ramhill bridge, which, like all the others, was crowded by spectators, the duke's car stopped until we passed.

At this place Mr. Bretherton had a large party of friends in a field, overlooking the road. As we approached the Sutton inclined plain, the duke's car passed up again at a most rapid rate—it appeared rapid even to us who were travelling at probably, fifteen miles an hour. We had a fine view of Billing-hill from this neighborhood, and of a thousand various colored fields. A grand stand was here erected, beautifully decorated, and crowded with ladies and gentlemen from St. Helen's and the neighborhood. Entering from Parr Moss we had a good view of Newton race course and the stands, and at this time the duke was far ahead of us; the grand car appeared actually of diminutive dimensions, and in a short time we saw them gliding beautifully over the Sankey viaduct, from which a scene truly magnificent lay before us, The fields below us were occupied by thousands who cheered us as we passed over the stupendous edifices; carriages filled the narrow lanes, and vessels in the water had been detained in order that their crews might gaze up at the gorgeous pageant passing far above their mast-heads. Here again was a grand stand, and here again enthusiastic plaudits almost deafened us. Shortly we passed the borough of Newton, crossing a fine bridge over the Warrington road, and reached Park side, 17 miles from Liverpool, in about four minutes under the hour. At this place the engines were ranged under different watering stations to receive fresh water, the whole extending along nearly half a mile of road. Our train and two others passed the duke's car, and we in the first train had had our engine supplied with water, and were ready to start some time before we were aware of the melancholy cause of our apparently great delay. We had most of us alighted, and were walking about congratulating each other generally, and the ladies particularly, on the truly delightful treat we were enjoying, all hearts bounding with joyous excitement, and every tongue eloquent in the praise of the gigantic work now completed and the advantages and pleasure it afforded. A murmur and an agitation at a little distance betokened something alarming, and we too soon learned the nature of that lamentable event which we cannot record without the most agonized feelings.

On inquiring we learnt the dreadful particulars. After three of the engines with their trains had passed the duke's carriage, although the others had to follow, the company began to alight from all the carriages which had arrived. The duke of Wellington and Mr. Huskisson had just shaken hands, and Mr. Huskisson, prince Esterhazy, Mr. Birch, Mr. H. Earle, Mr. William Holmes, M. P. and others, were standing in the road when the other carriages were approaching. An alarm being given, most of the gentlemen sprang into the carriage; but Mr. Huskisson seemed flurried, and from some cause, not clearly ascertained, he fell under the engine of the approaching carriage, the wheel of which shattered his leg in the most dreadful manner. On being raised from the ground by the earl of Wilton, Mr. Holmes, and other gentlemen, his only exclamations were—"Where is Mrs. Huskisson? I have met my death. God forgive me." Immediately afterward he swooned. Dr. Brandreth, and Dr. Southey, of London, immediately applied bandages to the limb.

In a short time the engine was detached from the duke's carriage, and the musician's car being prepared for the purpose, the right honorable gentleman was placed in it, accompanied by his afflicted lady, with Dr. Brandreth, Dr. Southey, earl of Wilton, and Mr. Stephenson, who set off in the direction of Manchester. The whole of the procession remained at least another hour, uncertain what course to adopt. A consultation was held, and the duke of Wellington was soon surrounded by the directors, and a mournful group of gentlemen. At first it was thought advisable to return to Liverpool, merely despatching one engine, and a set of carriages, to convey home the lady Wilton, and others who did not wish to return to Liverpool. The duke of Wellington and sir Robert Peel seemed to favor this course; others thought it best to proceed as originally intended; but no decision was made till the borough-reeve of Manchester stated, that if the procession did not reach Manchester, when an unprecedented concourse of people would be assembled, and would wait for it, he should be fearful of the consequences to the peace of the town. This turned the scale, and his grace then proposed that the whole party should proceed, and should return as soon as possible, all festivity at Manchester being avoided. The Phœnix, with its train, was then attached to the North Star and its train, and from the two united, a long chain was then affixed to his grace's car, and although it was on the other line of rail, it was found to draw the whole along exceedingly well. About half-past one, we resumed our journey; and we should here mention that the Wigan Branch Railway company had erected near Parkside bridge, a grand stand, which they and their friends occupied, and from which they enthusiastically cheered the procession. On reaching the 20th mile post we had a beautiful view of the Rivington Pike, and Blackstone Edge, and at the 21st the smoke of Manchester appeared to be directly at the termination of our road view. Groups of people continued to cheer us, but we could not reply; our enjoyment was over. Tyldesley church, and a vast region of smiling fields here met the eye, as we traversed the flat surface of Chat Moss, in the midst of which a vast crowd was assembled to greet us with their plaudits; and from the 24th mile post we began to find ourselves flanked on both sides by spectators extending in a continuous and thickening body all the way to Manchester. At the 26th mile post we met Mr. Stephenson returning with the Northampton engine.

In answer to innumerable and eager inquiries, Mr. Stephenson said he had left Mr. Huskisson at the house of the rev. Mr. Blackburn, vicar of Eccles, and had then proceeded to Manchester, whence he brought back medical assistance, and that the surgeons, after seeing Mr. Huskisson, had expressed a hope that there was no danger. Mr. Stephenson's speed had been at the rate of 34 miles an hour during this painful errand. The engine being then again attached to the duke's car, the procession dashed forward, passing countless thousands of people upon house tops, booths, high grounds, bridges, &c. and our readers must imagine, for we cannot describe, such a movement through an avenue of living beings, and extending six miles in length.

At half-past four the duke's car began to move away for Liverpool. They would have been detained a little longer, in order that three of the engines, which had been to Eccles for water, might have dropped into the rear to take their places; but Mr. Lavender represented that the crowd was so thickening in upon all sides, and becoming so clamorous for admission into the area, that he would not answer for the peace of the town if further delay took place. The three engines were on the same line of rail as the duke, and they could not cross to the other line without getting to a turning place, and as the duke could not be delayed on account of his keeping the crowd together, there was no alternative but to send the engines forward. One of the other engines was then attached to our train, and we followed the duke rapidly, while the six trains behind had only three engines left to bring them back. Of course, we kept pace with the duke,

who stopped at Eccles to inquire after Mr. Huskisson. The answer received was, that there was now no hope of his life being saved; and this intelligence plunged the whole party into still deeper distress. We proceeded without meeting with any fresh incident until we had passed Prescot, when we found two of the three engines at the 6½ mile post, where a turning had been effected, but the third had gone on to Liverpool; we then detached the one we had borrowed, and the three set out to meet the six remaining trains of carriages. Our carriages were then connected with the grand cars, the engine of which now drew the whole number of nine carriages, containing nearly three hundred persons, at a very smart rate. We were now getting into vast crowds of people, most of them ignorant of the dreadful event which had taken place, and all of them giving us enthusiastic cheers, which we could not return. At Roby, his grace and the Childwall party alighted, and proceeded home; our carriages then moved forward to Liverpool, where we arrived about seven o'clock, and went down the great tunnel, under the town, a part of the work which, more than any other, astonished the numerous strangers present. It is, indeed, a wonderful work, and makes an impression never to be effaced from the memory. The company's yard, from St. James' street to Wapping, was filled with carriages waiting for the returning parties, who separated with feelings of mingled gratification and distress, to which we shall not attempt to give utterance. We afterwards learnt that the parties we left at Manchester placed the three remaining engines together, and all the carriages together, so as to form one grand procession, including 24 carriages, and were coming home at a steady pace, when they were met near Newton by the other three engines, which were then attached to the rest, and they arrived in Liverpool about ten o'clock.

Thus ended a pageant, which, for importance as to its object and grandeur in its details, is admitted to have exceeded any thing ever witnessed. We conversed with many gentlemen of great experience in public life, who spoke of the scene as surpassing every thing they had ever beheld, and who computed, upon data which they considered to be satisfactory, that not fewer than five hundred thousand persons must have been spectators of the procession.

We must not omit to state that the directors had issued a printed request that the company would not alight at the watering station. Almost all of us disregarded the request, or no accident would have happened; nor did any happen throughout the day, arising either from the construction of the road or the mode of travelling upon it.

LAFAYETTE.

From the National Intelligencer.

Translation of a letter from general *Lafayette* to gen. *Bernard*, of this city.

Paris, 8th Sept. 1830.

My dear general:—Abundance of news must have reached you through the periodical papers. Nevertheless, I think it will be pleasing to you to receive some written details. You will have received some publications relating to our memorable week. You will also have read an account of the review by the king in the camp de Mars, for the distribution of our tri-colored flags to the national guard. The ceremony was as splendid as that of the federation of 1790. We had five hundred thousand spectators; and every one was struck with the celerity with which in less than three weeks we have organized nearly fifty thousand men of national guards—armed, equipped and filing off like veteran troops. The king handed successively to the general commander-in-chief the forty-eight tri-colored flags, each surmounted with a cock in lieu of the old imperial eagle, with this motto: "Liberty—Public Order—Days of 27th, 28th, 29th July, 1830." The commander-in-chief took himself the new oath, and had it administered to the national guard. The colors were entrusted to flag-bearers, selected from among the mechanics who had distinguished themselves in fighting in the barricades. The national guards are organizing throughout France. We have already fourteen thousand men for the two arrondissements only of St. Denis and Seaux.

I send to you the order of the day which I addressed to the national guards of the kingdom. Next week, a law will be proposed for the final organization of the French national guard. All the citizens will compose the stationary guard; the young men the moveable national guard. From seven to eight hundred thousand fighting men will thus form good corps of reserve.

You know that some disturbances have taken place in Belgium; they will end, I think, by the separation of that country from Holland, under the same sovereign. We have not interfered, except to signify that we shall not suffer that any foreign army should excreise any right of interference, leaving the nations to manage their own affairs according to their will, but not willing that other governments shall interfere to oppress our neighbors.

I send you the exact account of what has taken place in the chamber relative to South America and Mexico. You will see that I took care to mark the order of the recognitions already made, and to give to our dear United States the share which belongs to them.

Our republican throne has been recognized immediately by the English government, and will soon, I hope, be recognized by the other powers. You will readily suppose that I did not say that *this was the best of republics.* I do not think so; and the constitution of the United States appears to me far preferable. But I believe we have done for the best in the present circumstances; and have prepared, under a popular throne, all republican institutions. There are not in France, patriots more sincere and enlightened than the king and his son. I knew them but little before, but they have inspired me with the greatest friendship and confidence; and this sentiment is reciprocal.

This, my dear general, is the point at which we have arrived. I do not mention to you some slight disturbances or errors among the mechanics. There is not in all this any ill intention, and reasoning alone has been sufficient to persuade them. After all, most of these slight disorders, of which our adversaries have made so much, have been instigated by disguised enemies; and there have been no real troubles but at Nismes; and the zeal of the neighboring national guards and that of the line, under the tri-colored flag, soon repressed them.

Receive the new assurances of my old and constant friendship, LAFAYETTE.

ORDER OF THE DAY.

To the national guards of the kingdom of France, September 1, 1830.

The general commanding in chief the national guards of the kingdom, called by the confidence of the people to the head of the public force in the glorious days of our late revolution, has thought it his duty, notwithstanding his refusal in 1790, to accept, under the new state of things, the important command conferred on him by the confidence of a patriot monarch, himself placed by the wishes of his fellow citizens on the constitutional throne of the king of the French. But in consideration of the importance and multiplicity of his duties, the general commander in chief must necessarily rely (of which he has indeed the happy certainty) on the patriotism, upon the zeal, and, he may be permitted to add, the personal affection of his brothers in arms throughout the vast extent of our brave and free country of France.

After forty years of memorable vicissitudes, the old tri-colored flag of '89, the flag of the national sovereignty, of liberty and of public order, has just been gloriously, generously and forever re-established—around this standard has rallied, with a spontaneous movement, and will soon be legally organized, all France in arms.

The French people, profiting by the lessons of experience, by the progress of light, and civic intelligence, and appreciating the glory and benefits of our political storms, casting off all that deprived their first impulses of their purity, feels much more the necessity for general and personal security, now that the happy division of property and the advancement of industry, render it more and more necessary. Filled with respect and good will for the rights of other nations, and their bosoms glowing with ardour for all the rights, without distinction, of individual, civil and religious liberty, they cannot but maintain with firmness, and if it be necessary, defend with energy, their own rights of indepen-

dence, liberty, of legal order, the laws to which they have consented, and the popular throne which they have founded.

It is the national guards to whom these great duties are particularly confided; and as no foreign influence can prevail against the French nation, proud as she is of her retrospections, of her strength, and of the great and virtuous example she has just presented to the world, holding in her hands the sacred arms of liberty, so neither can any domestic intrigue, any of those temptations to disorder which the odious tactics of our adversaries formerly rendered so oppressive, now triumph over the spirit of wisdom, moderation, and at the same time of energy and persevering patriotism, which now characterize France as it is, and which was so admirably evinced by her brave men during *the three great days.*

The general commanding in chief, ready at all times to assist his fellow soldiers with all the efforts of his devotion and of his personal independence, communicates to them this day some provisionary instructions, through the medium of the inspector general, whose long experience has greatly aided his labors.

There will be no delay by the government in the presentation of a law for the final organization of the national guards. It will have for its basis the law of '91, and especially the vital principle of election by the citizens; but this is only an additional motive for forwarding at present with all our zeal, the spontaneous movement which does honor and gives strength to France, and which presents her such as she ought to be to her friends, and in case of need, to her enemies.

LAFAYETTE.

JUDGE BARBOUR'S VALEDICTORY.

From the Orange Court-House Reporter, Oct. 22.

To the citizens of the congressional district, composed of the counties of Spotsylvania, Louisa, Orange and Madison.

Fellow-citizens:—Having accepted a judicial appointment under the federal government, I am about once more to dissolve the tie which binds me to you, in the relation of representative, and to retire from your service.

Under these circumstances, I feel impelled, if not by a sense of duty, at least by inclination, to say a few words to you at parting. With the exception of the period of the 19th congress, it has been my fortune to have represented you, in uninterrupted continuity, for sixteen years last past.

On my part, all that I can pretend to, is—That I have endeavored to serve you to the utmost extent of my ability, with zeal and fidelity. On your part, during the whole of that time, I have experienced so much steadiness of support, when you thought me right, so much allowance for human fallibility, when you thought me wrong, and such uniform kindness at all times, and on all occasions, that I may say, without a figure, "that your service has been perfect freedom."—I will add, that in retiring from it, I feel engraven upon my heart a sense of gratitude, which neither time, nor other cause, can ever obliterate, whatsoever of good or ill may betide me, in future life.

As it would be doing injustice to my feelings, not to make this declaration, so I am persuaded, that the circumstances under which it is made, will, in your estimation, give it full credit for perfect sincerity. For now at least, I cannot give any other motive—I cannot have any other, save only the pleasure arising from the outpouring of the grateful sensibilites of a heart, full to overflowing.

As it respects the cause, which has induced me a second time to withdraw from the political theatre, I am sure it will be esteemed by you, justification enough for me to say—that the toil incident to a service in congress, and the duties of a laborious profession, is more than I can bear. In a word, "that weariness wants repose;" not the repose of indolence, for it is not my nature to indulge in that, but that of mitigated labor.

Here perhaps I might, with propriety, close this valediction—but my feelings prompt me irresistibly to go further, and yield obedience to the impulse.

Ever since the formation of our present federal government, we have been divided into political parties. The great line of demarkation has been between those who advocate an enlarged, and those who advocate a restricted construction of the constitution of the United States.

To the latter part it has been my pride and boast to have belonged, through the whole course of my public life—and to its doctrines I have endeavored to point in my public acts with an unvarying polarity.

I have done this, because it has been, and still is my sincere belief, that such a course steadily pursued, will lead directly to the peace, the harmony, the happiness and prosperity of our common country.

It is not my purpose, at this time, to enter into any speculative discussion upon this subject.

I have heretofore, on the floor of congress, exhausted all my views in relation to it—and moreover, the views of others, and especially those of Virginia, as exhibited in the luminous report of her legislature in 1799, and before the public. But on this occasion, the last during my life on which I ever expect to address you, in your sovereign character, I ask your solemn attention to a few remarks which I propose to make, founded upon experience and observation.

These two antagonist principles of *latitudinous* and *restrictive* construction, have, for now more than forty years, vied with each other with varying success. Behold the practical results, as the one or the other, predominated.

The present century opened with the great civil revolution, which placed in the chief executive chair, the apostle of true principles, and the head of the political church, whose articles of faith I profess.

Compare *this* period of our political history, including that of the administrations which succeeded it, and were formed upon the model of this great archetype, with *that* during which the opposite principle was lord of the ascendant, and judge them in the utmost candor, by the fruits which they have respectively produced.

Under the doctrine of *restricted construction*, we have enjoyed freedom of speech and of the press—we have had a well regulated economy, in every department of the government—we have had harmonious concert *in general*, between the federal and state authorities—and last, but not least, the states and the people of the states, were left to reap the fruits of their own toil, diminished only by the necessary amount of the public dues. Of this last advantage, it may well be said, that it is one of the primary objects of every good government. As the natural consequence of these, we have had during their continuance, a rapidly growing prosperity, and with one striking exception, a general quietude and contentment among our people.

Under the ascendancy of the doctrine of enlarged and indefinite construction, mark, I beseech you, the reverse of this picture.

Under its reign, we had at an early period of our history, an alien and sedition law, upon which a large majority of the American people have impressed the stamp of their decided reprobation.

At a very late period, we have seen immense expenditures of public money, and which were every year becoming greater, characterized by the injustice of being raised from the substance of the whole community, and appropriated for the benefit of a part only, and that frequently the part which furnished the least portion of the contribution. We have seen the constitution extended by construction, so as to enable congress to appropriate millions for internal improvement—a matter of policy, which, I verily believe, belongs to the local authorities of the states. We have seen the power of laying and collecting duties, distorted from its constitutional purpose of raising revenue, to that of regulating the labor of the country. By force of this construction, under the name of a tariff of duties, the labor of one part of the country is severely taxed, that that of another may be successfully applied to manufactures. Though it is obvious, that either labor thus applied was less profitable than other labor, in which aspect, it was *impolitic;* or, that manufactures did not want this aid, in which aspect, it was *oppressive and unjust.*

This latter doctrine, with all its evil consequences in its train, is now in the full tide of *unjust*, and as those who are interested say, *unsuccessful* experiment. We

who are obliged to pay the price of this experiment, have complained, we have remonstrated, we have reasoned, we have almost entreated—but the majority, feeling their strength, have, with a firm and steady step, moved on towards their object; which, to attain the end they have in view, must be finally *prohibited*.

And what is the result, let me ask you, as now exhibited amongst our people? It is a melancholy truth, nay, it is a matter of history, that a deep and settled discontent pervades a very large portion of the country. Indeed, some have thought, that they have perceived, in the signs of the times, threatening indications of a coming storm, which would scatter to the winds this beautiful federative machine of ours, in broken fragments.

Amidst the hitherto determined perseverance of the majority, and the murmuring disquietude of the minority, good men have seemed to be almost ready to give up all hope of a successful issue to our great political experiment; of which, it is not too much to say, that as it is the *best*, so, in the event of its failure, it would probably be the *last* hope of the world, for self-government.

They have feared, that we too, like other nations which have gone before us, should first be involved in civil war, then anarchy, and finally perish as a people, and be blotted from the map of the world, as to our independent political existence.

It would be the part of wisdom, even under any extremity of circumstances, to take counsel, and derive a ray of consolation, from the noble maxim of the Romans, *never to despair of the republic*.

For my own part, although past experience does not much countenance such an expectation, yet I will not entirely despair of some relief from the majority. I trust in God, that they will in the school of that very experience have learned a lesson of moderation. That they will have learned to estimate more highly the complaints of a minority. To appreciate the moral and political benefits of this union, as of more worth than roads, canals, manufactures, or any other similar advantage.—To feel, that it is pride of heart alone, which would make them consider it defeat, to concede to a minority.—In fine, to consider it, as in truth it is, not *a surrender to the menaces*, but *a concession to the remonstrances* of a minority, who believe themselves to be oppressed, and call aloud for relief from oppression. Nor are we without a memorable example of such a magnanimous concession. Witness the repeal of the embargo, not as we are informed by Mr. Jefferson himself, from any change in his opinion, as to its policy.—No, my fellow countrymen, it was done in deference to the complaints of New England, and in the spirit of conciliation and harmony. And why shall not New England, and other manufacturing portions of the union, in their turn, emulate so distinguished an example? It is for them, not me, to answer this solemn inquiry.

Should, however, the majority in congress, contrary to our just expectation, still press on in their course, regardless of the voice of a complaining people, then we have the consoling hope, that there is another department of the government, whose moderation will be interposed to save us from these appalling evils, which many fear, and which all good men must deprecate.

Under the auspices of the present administration, we have seen some mitigation of the pressure of the tariff, upon some of the necessaries of life.—We have seen a check put by the interposition of the executive veto, to the career of improvident expenditure, on internal improvement.

Let us indulge the hope, that this good work will go on, and that the principle out of which these late measures grew, will be expanded into more extensive practical usefulness.

Under this brightening prospect of better times, which has recently burst upon our vision, under the hopeful auguries of the future, which we may thus derive from the past, let us have philosophy enough, yet to *bear, and forbear;* let us remember, that if we cannot feel *patient* under oppression, it behooves us, as we love our country, yet to check our *impatience*, so as to do nothing which might hereafter be the subject of regret. Let us yet try further argument, further remonstrance, I had almost said entreaty. And is it, can it, be too sanguine a hope to be indulged, that if the one party shall practice moderation, which will bear with their brethren, though seven times offended, and the other shall remember, that there is a point at which forbearance ceases to be a virtue, we may yet have a happy issue out of all our afflictions? I trust that this will be the result, and that the union of these states will be as durable as the everlasting hills.

In conclusion, my countrymen, I bid you an affectionate farewell, from the bottom of my heart—and I offer an earnest prayer, that, He whose arm is mighty to save, will protect our beloved country, in every time of need, and that her high destines according to our fondest hopes will be fulfilled. Most respectfully, your fellow-citizen,

P. P. BARBOUR.

Orange, October 20, 1830.

THE U. STATES AND THE CHEROKEES.

Copy of a letter addressed to the officer commanding the detachment of the United States' troops.

Alatoony gold mines, C. N. Oct. 4th, 1830.

Sir: Since you were here, and ordered the Cherokees to desist digging for gold, they have had a consultation on the subject and have come to the following conclusions: They are laboring in an honest way, upon their own lands, for the support of their families: they intruded upon the possessions of none; they infringe upon none. The United States, by treaties and otherwise, have acknowledged the country to be theirs, and have stationed their troops within its bounds to protect them in their territorial possessions; and, notwithstanding your orders, they cannot believe that the arms of the government will be employed against them without just cause or aggression. They respect the government and its officer, they intend nothing but peace and friendship; and they do not wish to add any thing to the embarrassments under which their nation is now laboring, by their imprudence; but so firmly convinced are they of their rights and their privileges, that they are still disposed to continue their mining operations. They do not invite difficulties and sufferings; and disclaim any unpleasant feelings towards the officers commanding the United States' troops in the nation, and are perfectly resigned to such fate as the consequence of their honest labor upon their own lands may consign them to, under the laws of the United States.

With sentiments of regard and esteem, we are respectfully your obedient servants,

Elijah Hicks,	*William S. Coodey,*
Wullenedah,	*James Brown,*
James Bigby,	*Thomas Bigby,*
George Hicks,	*Thos. Woodward.*
Nathan Hicks,	

P. S. Should it suit your convenience, the Cherokees will be glad to see you on your return, and have some further conversation.

AN APPEAL TO THE PEOPLE.

The Cherokee Phœnix of September 11, contains the proceedings of a meeting in Agnohee district, Cherokee nation, viz: resolutions of thanks to "William Penn," and to those senators, representatives, editors, memorialists and other citizens, who have taken an interest in their behalf,—appended to which is the following ADDRESS:

To the citizens of the United States.

Friends and brethren:—The occasion of our present address, is one which affects, not only the well being, but the very existence of our country.

A course of policy has of late been pursued, with relation to us, which we consider to be at variance with the most solemn treaties, and which has filled our minds with painful anxiety.

Oppression is at this moment in vigorous operation, under the appellation of "Laws of Georgia." These overbearing and cruel edicts, are evidently designed to exterminate us from the earth. Under the sable banners of these pretended laws, are already marshalled, for the purposes of rapine and plunder, a host of the most abandoned characters, who drive off our property, break the repose of our families, imprison our persons, and threaten our lives. But these laws grant us no hearing; they afford us no address.

We consider these doings to be flagrant violations of those identical treaties, by virtue of which millions of

acres of land, *once ours*, are now vested in the United States, as the price of protection against these very evils.

We have asked your executive, for the stipulated protection; but it is not granted. We have petitioned congress; but without success. We have assumed the attitude of abject soppliants, in soliciting that, for which we have paid, in full tale; but we have met nothing but mortifying repulses. We are grieved. We are oppressed. What are we to do? where shall we look for succour? The arm of your president, heretofore potent to enforce justice, has lost its wonted energy; he cannot help us.

The state of Georgia, in the vehemence of her thirst for sovereignty, has overleaped her bounds. She tramples on our dearest rights, and frowns to silence the interrogatories of justice.

People of America, where shall we look? Republicans, we appeal to you. Christians, we appeal to you. We need the exertion of your strong arm, we need the utterance of your commanding voice: we need the aid of your prevailing prayers.

In times past, your compassions yearned over our moral desolations, and the misery which was spreading amongst us, through the failure of game, our ancient resource. The cry of our wretchedness reached your hearts; you supplied us with implements of husbandry, and domestic industry; which enabled us to provide food and clothing for ourselves. You sent us instruction in letters and the true religion, which has chased away much of our mental and moral darkness.

Your wise president Jefferson, took much pains to instruct us in the science of civilized government; and recommended the government of the United States, and of the several states, as models for our imitation. He urged us also to industry and the acquisition of property. His letter was read in our towns; and we received it as the counsel of a friend. We commenced farming. We commenced improving our government. And, by gradual advances, we have attained our present station. — But our venerable father Jefferson never intimated that, whenever we should arrive at a certain point in the science of government, and the knowledge of the civilized arts; then our rights would be forfeited; our treaties become obsolete; the protection adnated by them, withdrawn; our property confiscated to lawless banditti and our necks placed under the foot of Georgia.

The improvements we have made, we attribute in a great degree, to the measures originated and carried on, under the fostering care of your enlightened presidents, and associations of pious individuals, among your citizens.

If your benevolence responded to our silent petitions, when we possessed no other claims than our wretchedness, and no other advocate than the general emotions of your own breasts, we feel assured that our appeal will not be disavowed, when we ask for justice at your hands.

Much industry has been employed, to misrepresent our condition. Our faults and our misfortunes and our defects, have been magnified; and unfounded odium has been cast upon our name, as if the worthlessness of our character, and the degradation of our condition, could exonerate the United States government from her engagements, and annul the binding force of the treaties.

Sometimes our untamable barbarism and deplorable degradation, are urged against us; and at others, our civilization, and our cultivation of the domestic and social advantages, resulting therefrom, are charged upon us, as unpardonable crimes.

It has been frequently asserted, that we are willing, and even desirous, to go on to the west. We assure our friends that it is not so. We love our homes: we love our families: we love to dwell by our fathers' graves. We love to think that this land is our Great Creator's gift to them, that he has permitted us to enjoy it after them, and that our offspring are preparing to succeed us in the inheritance.

This land is our last refuge; and it is our own. Our title to it has no defect but the inferiority of our physical force, and this defect is amply supplied by our compacts with the powerful and magnanimous government of the United States.

Respected and honored friends, permit us to speak plainly. Much has been done against us. Promises, threats and stratagems, have been employed. But we are still unshaken in our attachment to the land of our birth, and we do solemnly protest against the exercise of oppressive measures to effect our removal. We protest against the extension of the laws of Georgia over any part of our territory; against the occupancy of our lands, by United States citizens, in virtue of compacts between the United States government and another nation, with which we have no political connexion, and which possesses no rights, within our territory, against the removal of our boundary lines; and against the employment of money or other bribes, to corrupt our citizens and induce them to become traitors to their country, and against the distribution of our annuities amongst individuals, as being all contrary to the letter and spirit of our treaties.

We are greatly encouraged, in bearing up under accumulated wrongs, to know, that our rights are acknowledged and our claims advocated, by a great majority of the wise, the honorable, and the virtuous among the citizens of the United States.

Brethren, while we beg your acceptance of the imperfect expression of our unfeigned gratitude, for your past exertions, we ask, with the most earnest solicitude and respect, the continuance of your aid, in every way, which your wisdom and philanthropy may dictate. And trusting to the guidance of an all-wise Providence, we are encouraged to look forward, through generations yet to come, in the hope that the Cherokees will be still known on their native soil; that the light of truth, which already illuminates our horizon, will advance to meridian splendor, and that the magnanimous deeds of the vindicators of our rights will live in the memory and the veneration of our posterity, long after our bodies shall have mingled with the dust.

Signed by order and on behalf of the meeting.

CHOSTOSA, *chairman.*
JOHN WICKLIFF, *clerk.*
JOHN TIMSON,
SWEETWATER,
SITUAGI,
KANEEDA.

THE TREATY WITH THE CHOCTAWS.

Extract of a letter from a gentleman of the first respectability, to his friend in Mobile, dated

Demopolis, Oct. 1, 1830.

Our commissioners, the hon. secretary of war and gen. Coffee, have happily succeeded in making a treaty, by which all the Choctaw lands this side of the Mississippi have been purchased, on terms which I trust the senate of the United States will find satisfactory, and which I consider advantageous to the Indians.

I have not time, nor would my memory serve me if I had, to give you a satisfactory sketch of the various provisions of the treaty; but the following are the most important to us:—

Reservations have been allowed to all persons, not exceeding forty, who cultivate fifty or more acres of land, of one section each.

Do. do. not exceeding 400 persons, who cultivate over 30 acres, 480 acres each.

Do. do. not exceeding 400 persons, who cultivate over 20 acres, 320 acres each.

Do. do. not exceeding 350 persons, who cultivate over 12 acres, 160 acres each.

Do. do. not exceeding 350 persons, who cultivate over 2 acres, 80 acres each.

The above reservations to include improvements, and may be sold by individuals, by permission of the president of the United States.

Ninety captains, who may not otherwise obtain one section each, are entitled to an additional half section each; which may be sold by permission of the president of the United States, or paid for by the United States, at 50 cents per acre, at the option of the captains.

All fatherless or motherless orphans will be entitled to a quarter section, to be selected by the president, and sold for their benefit, under his direction.

All families who may reside on their present improvements five years, will be entitled to a patent for 640 acres for the head of the family, and 320 acres to each unmarried child over ten years of age, and 160 acres for

each under ten years of age, to be contiguous to their parents' land.

Some 50 or 100 special reservations were made in favor of various individuals of the nation—some to include their improvements, and some few afloat.

Money payments. $50,000 for the support of common schools in the nation.

$400,000 to be paid in 20 annual instalments—say $20,000 a year.

$230 a year to four principal chiefs, each for twenty years.

$500 a year to one chief, to preside in case of the nation adopting a republican form of government.

Payment for building council house and three churches.

Payment of salary of three teachers and preachers, for 16 years.

Three smith's shops supported 16 years; one millwright for 5 years; sundry small payments to secretaries speakers, &c.

One rifle to each emigrating warrior, after his arrival in their new country.

21,000 blankets to be divided among them.

1000 cards, 1000 wheels, 1000 axes, 1000 hoes, 400 looms, 1000 ploughs, to be also divided among them in Arkansas.

The Indians are to be removed in steamboats and wagons, at the expense of the United States, and supported one year after their arrival at their new homes. Their new country, according to the lines fixed and agreed upon at the treaty of Washington city, in 1825, to be secured to them by the United States forever; no state or territory ever to be laid off to extend over any part of their new country; the nation always to be governed by its own laws, which are not to be inconsistent with those of the United States. The propriety of admitting the nation by their delegate on the floor of congress, after they shall become sufficiently civilized, is respectfully submitted in the treaty to the consideration of congress.

They are to remove in 1831, 1832, and 1833, and, in the mean time, the United States are to keep out intruders; and the commissioners promised that the government would use its good offices with the state of Mississippi, to suspend the operation of her laws, and Alabama not to extend her laws into the nation, for the space of three years. The country, however, is to be surveyed as soon as practicable, by prudent, discreet surveyors.

PENNSYLVANIA CANALS.

From the American Sentinel.

We learn, with great satisfaction, that all the state canals which have been authorized by the legislature to be placed under contract, will be completed for navigation by the 15th November ensuing.

The water has already been let into two hundred miles of the canals, which is now navigable, and the local newspapers inform us that the Delaware, the north and west branch, and additional portions of the western and Juniata divisions are now filling, making a further navigation of one hundred and fifty miles. The remainder of the authorized canals will be completed by the 15th of November.

By the 1st of December, the grading, bridging, &c. of forty miles of the road-way of the Columbia and Philadelphia rail road will be finished ready for laying the rails.

There is now a continuous line of canal from Philadelphia by the Schuylkill, Union, and Pennsylvania canals, to Augwich, near Huntingdon, on the Juniata, a distance by the canals of two hundred and forty miles. The line will be extended twenty miles further within the present year. The whole line from Johnstown, at the western side of the Alleghany mountain, a line of upwards of one hundred miles, will be navigable by the 1st of November. This will leave a space of but seventy-eight miles between Huntingdon and Johnstown to be completed, in order to effect the connexion by canal and portage between the navigable waters and vast vallies of the Ohio and Mississippi and the city of Philadelphia.

The canal communicating from Philadelphia to the valley of Wyoming, will be established in a few days. The distance from Philadelphia to Wyoming is two hundred and sixty miles.

EXPORTS OF COTTON AND TOBACCO FROM THE PORT OF NEW ORLEANS,

For the last nine years, commencing 1st October and ending 30th September in each year.—Compiled from Wilde's Price Current for the New York Mercury.

Wilder exported.	BALES OF COTTON.									HHDS. OF TOBACCO.					
	'29-30.	'28-29.	'27-28.	'26-27.	'25-26.	'24-25.	'23-24.	'22-23.	'21-22.	'29-30.	'28-29.	'27-28.	'26-27.	'25-26.	'24-25.	'23-24.	'22-23.	'21-22.
Liverpool	179,536	119,016	134,070	179,426	107,916	92,301	56,048	88,180	56,354	819	801	1,322	1,166	1,589	1,567	765	3,744	467
London		1,450	70			25	399	144	611		1,082	1,222			411	1,353	976	1,604
Glasgow and Greenock	16,413	8,485	4,920	12,763	3,163	6,814	4,553	6,853	3,914									
Cowes, Falmouth, &c.	60		1,083	1,270	1,929		614	3,022	3,578	973	2,684	2,856	1,666	300	451	2,186		300
Cork and a market					1,492	1,492		1,583										
Havre	79,092	61,963	57,919	52,174	3,137	58,561	30,609	21,582	2,420	325	130	136	549	342				10
Bordeaux	2,973	1,992	1,904	2,680	1,734	1,599	983	412	1,686	119	100	245	203		16	154	40	27
Marseilles	9,896	4,164	4,833	3,131	1,998	242	609	1,705	1,401	7		18			60			
Amsterdam	849	1,563	661	898	677			367	411	1,020	1,720	1,276	1,235	901		219	2,990	1,054
Bremen	323	851	1,525	1,900	1,357			712	956	3,024	1,186	3,458	2,271	1,424	137	1,356	2,587	1,660
Antwerp, &c.	2,358	5,161	1,379	4,083	1,395	723	103	2,600				256					312	
Hamburg	499	4,160	3,806	1,651	335		844		957	95		978	853	80	487	1,951	1,097	373
Gottenburg	100	201	115	147	34	50	224		34	326	407	558	334	959	478	691	551	193
Gibraltar, &c.					131		359		47	300	145	3,499	2,527	1,063	2,166	2,358	887	837
Spain	85									5,297	7,902				201	225	258	
Other foreign ports	6,605	5,269	5,712	2,316	2,863	1,556	1,268	167	4,181	1,723	422	746	436	636	565	426	1,447	826
New York	20,915	20,009	38,486	37,207	36,639	51,810	28,52	24,640	28,873	7,188	5,197	9,045	3,458	5,043	6,630	6,063	6,995	7,146
Boston	13,686	12,333	20,006	9,415	11,903	7,439	7,848	5,699	7,279	3,219	713	6,211	2,742	3,175	1,366	1,309	2,047	2,810
Providence, R. I.	4,530	3,570	13,709	6,922	8,835	4,804	5,702	2,818	1,721		95	978	853	80	487	1,951	1,097	373
Philadelphia	4,277	3,440	9,921	9,955	5,172	3,260	3,381	1,250	10,688	2,764	326	407	558	959	478	691	551	193
Baltimore	1,580	1,164	2,744	3,155	3,053	1,763	1,250	799	2,831		520	475	749	700	185	309	251	906
Other coastwise ports	1,128	492	1,381	389	310		123		38		292	856	480	421	231	189	267	452
Total	351,850	267,949	304,848	329,632	251,924	204,557	143,943	171,431	156,030	28,028	25,491	35,111	256,710	4,880	16,840	25,010	20,361	21,995

☞Is there no *instruction* in the increased quantity of cotton produced and exported? Cannot the growers observe, that the greatness of the supply keeps down the price? Will South Carolina "*nullificate*" the *inevitable* laws of trade, in favor of her great commodity, and claim an exemption from depreciated prices that belong to every other article produced, whether in agriculture or by manufactures? It would seem as if the *order of nature*—the organization even of the planetary system, itself, should yield to the *magnificent* resolutions and speeches, and long talks, of Messrs. *McDuffie* and *Hamilton*, and change their character as Dr. *Cooper*, and other more distinguished persons, are pleased to change their opinions! But the laws of trade, as affected by scarcity or supply, and the courses of the planets as arranged by the hand of the OMNIPOTENT, will prevail, in spite of violence or apostacy, and idle "baymgs of the moon."

Exports of sugar and molasses for the last five years, ending 1st Oct. Mobile, Pensacola, up the river, &c. excepted.

YEARS.	SUGAR.		MOLASSES.	
	Hhds.	*Bbls.*	*Hhds.*	*Bbls.*
Total in 1830	22,962	775	12,648	6,545
" " 1829	57,611	2,582	20,940	8,400
" " 1828	39,063	1,756	18,429	2,505
" " 1827	25,115	1,000	8,849	3,482
" " 1826	12,738	1,257	3,703	2,165

Comparative number of vessels in the port of New Orleans, at the same time, for nine years past.

October 1st,	1830.	'29	'28	'27	'26	'25	'24	'23	'22
Ships	8	5	10	9	3	3	6	3	6
Brigs	11	7	16	9	9	8	3	3	9
Schooners	15	4	6	11	9	5	10	5	7
Sloops	4			2		1	2	1	3
Total	38	16	32	31	21	17	21	12	25

THE MAIL CONTRACTORS AND THE VETO.

Washington, October 15. The enterprizing proprietor of Brown's hotel gave, on Wednesday last, a splendid dinner to the contractors. The postmaster general, the two assistants, and chiefs of bureaus, were invited guests. The dinner was served in Mr. B's best style, and the utmost harmony and good feeling prevailed.

[*U. S. Tel.*

The mail contractors, now in this city, being about two hundred of our most enterprizing citizens, casually drawn from different parts of the union, having appointed col. Reedside, of Pennsylvania, colonel Avery, of N. York, colonel Allen, of Virginia, C. P. Malett, of North Carolina, John M'Lean, of South Carolina, captain C. Longstreet, of Georgia, W. T. Carruthers, of Alabama, and colonel S. Ried, of Florida, to wait upon the president, and request him to appoint a time when they could pay their respects to him personally; they yesterday, in a body, waited upon him, and delivered the following address;

Washington city, 13th Oct. 1830.

To the president of the United States:

SIR,—In compliance with the instructions of a number of citizens, concerned in the transportation of the United States' mail, assembled, at this time, in Washington, at Brown's hotel, desirous to testify our respect for the chief magistrate of this nation, we ask leave to hand to you the following resolutions, unanimously adopted:

1. *Resolved*, That we present to the president of the United States our heart-felt acknowledgments and cheerful thanks, for his wise, prudent and patriotic conduct in the executive chair; never, in our opinion, more ably and uprightly filled since the days of his illustrious and venerated predecessor, gen. GEORGE WASHINGTON.

2. *Resolved*, That we cordially approve and applaud his interpretation of the letter and the spirit of the federal constitution, in placing his constitutional *veto* on the Maysville road bill.

3. *Resolved*, That we deem his act on the aforesaid occasion, as emanating from the most exalted, moral and political courage; and as eminently worthy of the patriot and statesman, who has "filled the measure of his country's glory," as well as an earnest of the perpetuation of sound political principles, and a just exposition of the text of that sacred instrument which binds together our happy and prosperous union.

4. *Resolved*, That we are, on the whole, so highly gratified with his wise administration; with the choice of his cabinet counsellors, and the selection of his public officers, generally, that we are anxious and solicitous to see him continue in the administration of our national concerns, and are ready, again, to support him with our exertions and interest, for that exalted station, for the next constitutional term; for we may truly exclaim, "*Well done thou good and faithful servant.*"

5. *Resolved*, That a copy of these resolutions be handed to general Duff Green, with a request to give them a place in his paper.

6. *Resolved*, That the forgoing resolutions be signed by the chairman and secretary.

JAMES REEDSIDE, *chairman.*
GEORGE BOWEN, *secretary.*

The president replied:

"*Gentlemen*,—I receive the testimonial so kindly accorded to my official conduct by the resolutions which you have just presented to me, with a full sense of my responsibility to the people, and a gratification proportioned to the desire to deserve their approbation by a faithful and conscientious discharge of my duties. It is the duty of our citizens to look with vigilance to the conduct of those to whom they have delegated power; and its performance on your part cannot be the less salutary or proper on account of the relations you sustain to the government, by which you are rather invited to a severe scrutiny of its actions, than tempted to relax a just one.

I am thankful, gentlemen, for the kind feelings you express for me personally, and salute you in return with a cordial shake of the hand, and a sincere reciprocation of your good wishes."

The company partook of some refreshments, and after an interchange of salutations, retired much gratified at the fine health, cheerful deportment, and courteous manner of the president.

UNITED STATES *vs.* PETER R. BENNER.

In this interesting cause, Mr. Dallas occupied three hours and a quarter in delivering his reply to the defence, in the circuit court, judge *Baldwin* then charged the jury on all the law points made in the case, and the evidence, against the defendant. Mr. Ingersoll then rose, and said, that the character of the charge rendered it his duty to ask the court to instruct the jury, that they were the judges of the law, as well as of the facts, on this occasion. Judge *Baldwin* replied, that it was a new thing to ask for such an instruction; but he had no hesitation in stating to the jury, that in civil cases, the court were the judges of the law, and would always grant new trials where a verdict was given by juries contrary to law. In criminal cases, the jury had the physical power, and he might perhaps say the right to judge of the facts, and of the law also.—This instruction, however, was accompanied by an impressive admonition to the jury to be careful how far they undertook to decide upon the law, after it had been so well settled, as it had been in cases like the present.

The jury retired at near three o'clock yesterday afternoon: and, at a little after four, came into court with a verdict of *guilty* upon the second count of indictment, charging Mr. Benner, a constable of the city of Philadelphia, with the arresting and imprisonment, of Mr. *Lewis Brandis*, a public minister, or *attache* of the Danish legation, near the government of the United States, under a warrant of debt, issued by alderman *Binns*.

The ability displayed in this cause, as well by the defence, as by the prosecution, and by the presiding judge, has not often been excelled. We have taken copious notes of the proceedings and speeches, and shall embrace an early opportunity to lay at least a brief and substantial report of the case before our readers. [*Phila. Inq.*

NILES' WEEKLY REGISTER.

FOURTH SERIES. No. 12—VOL. III.] BALTIMORE, NOV. 13, 1830. [VOL. XXXIX. WHOLE No. 1000.

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT $5 PER ANNUM, PAYABLE IN ADVANCE.

☞Some ancient doings, to prevent, or establish, manufactures in America, will be found in subsequent pages. It is curious to observe the CONSISTENCY of the *British* and *American* parties, in respect to this great matter, for about seventy years! The struggle, we now hope, is approaching a close—unless the *British* party shall speedily accomplish some great thing to embarrass that *independence* which we have gained, and reduce us to the *dependence* originally contended for by British statesmen, as being due from us to them!* If the tariff is generally permitted to remain as it is, though it might be much improved by certain alterations, we shall get so far *a-head*, that we may smile at all the *managements* of the enemy. He may yet keep the market at New York, (*as he now really has it*), as to British articles—at least three-fourths of all the dry-goods imported being on account of *foreign* adventurers and transient persons; but our own regular merchants, who pay taxes, build houses and ships, and owe allegiance to the United States, will gradually pass a large amount of capital into other pursuits, and *make*, [or cause *materials* to be imported for making] such things as they cannot *import* to advantage, because that they do not understand the tricks of trade, or are too honorable to resort to them.

We are satisfied, that there is a rapidly increasing disposition in the people of the United States to persevere in the American System—and think that the late elections decidedly shew it. Its *reason* is becoming more and more manifest; for every one begins to know that we have nothing wherewith to pay *foreigners* for the manufactured articles which we need—that these must be mainly supplied by a *trade among ourselves*—the farmer feeding the manufacturer and mechanic, and they, in turn, furnishing him with articles of necessity or comfort. At their very highest valuation, say in 1818,† the whole of our domestic exports were put down as worth 73,854,437 dollars. This seems a mighty sum; but, divided among 12 millions of people, it yields only six dollars for each—a less amount than the average cost of the boots and shoes, and other manufactures of leather, hats, caps and bonnets, annually used or consumed. Dr. Cooper once estimated the mere *subsistence* of the people of the United States at 640 millions a year;—add to that the cost of their clothing and the thousands of other things besides food which they need, and must or will have, and how shall they obtain them? We esteem the products of the mechanics and manufacturers of the United States as being worth, at least, 450 millions a year. Do away these, and we must be "clothed in skins and live in dens and caverns," as *Jefferson* said. We have but little to give in *exchange* for them. But the value of exports in 1818 was almost one-half more than the average—which has been only in about the sum of 50 millions—last year 55,700,000. The latter affords no more than about 4½ dollars a-head. How far will that sum go in the supply of individuals with *all* manufactured articles which they require? It is useless to press these things on the people. The childishness of making such exchanges as the "free trade" folks talk of, is so manifest, that every thinking man laughs at it. If the *principle* contended for be a good one—it will "*go the whole.*" We may as well *import* shoes for horses as for men, and either as well as blankets and flannels; and, if PROTECTION is rightful to the makers of iron or leather shoes, it is equally proper to makers of blankets and flannels. The principle cannot be varied. It will not *bend* to "free-trade" "philosophers," or Yorkshire adventurers. It is a principle on which all nations act, unless *savages*. These have *free trade* with a vengeance, and exchange coats of fur for bottles of rum—and perish with cold!

But, and notwithstanding the progress of knowledge spoken of, we are assured that a desperate attempt will yet be made to *nullify* the "protecting system"*—and that the people should be on the look-out. It will be attacked in detail—for the general question may not be broadly and honestly put, as was shewn by the fate of Mr. McDuffie's resolutions, offered at the last session of congress. *Address* may accomplish what *force* would fail to do. By detaching parts, it will be attempted to weaken the whole. It has been a rule with the wicked and despotic for ages, to "*divide and conquer*," and will remain a chosen practice with all such until the end of time, when the "wicked shall cease from troubling." LET US WATCH THE BEGINNINGS. With union, the prosperity of these states is secured; by division, we shall be reduced to that meek and lowly dependence which England claimed from American colonists, and would still exact of American citizens.

With these remarks we invite a reading of the papers published in this present sheet—page 193. It will be seen that, "the Ethiopian has not changed his skin"—that *John Bull's* notions of "free trade," 70 years ago, were the same that his party now holds, in relation to the United States.

FOREIGN NEWS. A yet later arrival has brought us many additional items of foreign news. It would seem now, that Belgium *may* be separated from Holland without producing a general war—but what a principle will therein be established, by those who were parties to the "holy alliance?"

France appears to be settling down her power in Africa. A regular police has been established at Algiers, and a newspaper is published there. The Moors and Arabs, of the adjacent country, seem to have submitted to the change of government without much difficulty, as well as the beys of the several cities, though the inhabitants of the mountains were still in arms against the French. The pacha of Tripoli and bey of Tunis have entered into important treaties with France, and piracy would appear to be at an end. We think that every thing shews a disposition in France to hold a permanent possession of Algiers—which, when quieted, will open a most valuable and mutually beneficial commerce between the two countries, and entice tens of thousands of enterprising and industrious Frenchmen to pass over into Africa, and make it their home.

The present king of the French and king of England appear as if striving to excel in the banishment of pomp, parade and ceremony. The manners of the first is sim-

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*Representation, under the new census, will end the contest, except as suggested.

† It is worthy of remark that, in 1818—92 millions of pounds of cotton were valued at 31 millions of dollars—or about 30 cents per lb.—but 265 millions, exported in the last year, 1829, were valued at only 26½ millions of dollars, or at 10 cents *per lb.*—excess production lessening the *value* 5½ millions of dollars, though the *quantity* was about *three times as large*. Cannot the "philosophers" see this? Cannot those able to "*calculate the value of the union*," CALCULATE the effect of a *surplus?* They are worse fools than Midas, who desired that all things he touched should become gold, by which he was nearly starved—and had a pair of ass's ears fixed upon his head for *his* wisdom on another occasion. But the cotton-planters may not complain, on any account: in 1817,—1,479,000 barrels of flour exported, were worth 17,500,000 dollars, or more than 11 dollars per barrel—it has been since estimated at 5 dollars. The demand, and supply, regulate prices. Diamonds, of like size, would be exchanged for potatoes, were they as plentiful, and would be worth, indeed, much less.

* The "nullifiers"—at least some of them, to their eternal disgrace, have looked to *foreign* support, in their treasons against the *constitution* and *people* of the United States. They would that a minority might rule

ple and easy—those of the second, are rough and blunt; and both are plain men—Louis-Philip, however, being well educated and intelligent. Access to either is easy—and if one by his *politeness* best suits the French, the other, by his *openness*, is not less satisfactory to the English.

Mr. Adams, late president of the United States, having assented to be considered a candidate, has been elected a member of congress from Massachusetts, by an almost unanimous vote of the district.

Various opinions have been expressed as to this proceeding. The N. Y. Commercial Advertiser, well observed—"Supposing all the members of the house of representatives to be governed by feelings of delicacy, his presence must be embarrassing, and a constraint on the freedom of debate. In the particular case of Mr. Adams, he cannot expect any such thing. He will be assailed almost personally, for he will be identified with his cabinet. The thousand and one topics of abuse which were employed against him while he was in his office, will be served up again in his hearing. Retort cannot be always dignified, and silence will be sometimes impossible, or if it be possible, will be misconstrued into a confession of the charge."

Surely, there is matter for reflection in these suggestions. But Mr. Adams may have been influenced by higher considerations. It will be admitted, we think, without opposition, that there are few men, if any man, better acquainted with the domestic and foreign relations of the United States than he is. His talents are of the superior order—he has seen much, and known more, of public men and things, than any other citizen possessing the same firm state of health—and his intellect is still in all the vigor of its usefulness. The extent of his general knowledge, with the accuracy and promptitude of his recollections, have astonished all who have had intercourse with him; and, without presuming on any good qualities which he may have thought himself to possess, every liberal man will put this fair construction on his motives—that he felt himself a simple citizen of the republic, liable to the call of the people, and to render them such services as should be in his power—which strikingly shews a total disregard of what has been thought *etiquette*. It is the pride of our country, that even a president of the United States must become as a private man, save in the privilege of franking his own letters—the only compliment, or compensation, which such citizens enjoy; and it is probable that Mr. Adams may have felt it a *duty*, first to demonstrate this principle in our government, by accepting, from the hands of the people, the office of their representative in congress. And besides, Mr. Adams has been charged with having a stern regard for what is called *etiquette*—tens of thousands of otherwise very intelligent men believing that he was extremely precise and punctilious.—Nay, it was said, and is yet held as truth by thousands, that he would have established certain rules as to his intercourse with the members of the senate, &c. while holding the office of secretary of state, notwithstanding his letter on that subject, *disavowing all rules on his part*, shews that the senate had privately and previously organized certain regulations by which the members of that body were to be governed, in regard to complimentary calls or visits. This letter was published in the 21st vol. of the Register, page 327, and is the best *quietus* of etiquette that we ever read; and, following up its principles, Mr. Adams has given an example which, we hope, will prove beneficial in many respects—but especially in *practically* demonstrating his submission to the public will. And while we have no wish, nor expectation, that his presence, as a member of congress, will prevent free and fair discussions of the acts of government while he was at the head of it—we hope that there will be enough of self-respect in all his fellow members of the house of representatives, to forbid *personal* assaults upon him, because of such acts. Thus regulated, his various talents, and uncommon acquirements, must be important to his country. And, why should they not be devoted to it, because that he has been president of the United States? That would rather increase, than diminish, his interest in the welfare of his native land. The making, or unmaking of presidents, is not the chief end of our constitution, though it may be that of many buzzing animals—called politicians.*

Mr. Randolph, lately appointed minister to Russia, in the place of Mr. Middleton, removed—and sent to St. Petersburg in a sloop of war—remained just long enough to be presented to the emperor, and then demanded his passports, and started off for *London*, where he arrived on the 29th September, in one month and a few days after he had first reached the Russian capital! Ill-health is assigned as the cause of these rapid movements, and the U. S. Telegraph, says, that he is "on his way to the south of France, where it is his intention, with the approbation of the president, to spend the ensuing winter, and to return to St. Petersburg in the spring, if the state of his health will admit of it."

It would appear manifest, however, that Mr. Randolph does *not* intend to return to St. Petersburg—for his negro, *Juba*, has arrived at Boston, with thirteen packages of his master's *personal* effects, in the ship Fame.

Much is said of Mr. Randolph's *extravagance*, during the few days that he remained at St. Petersburg. He is made out to have been an insane man—or *worse*. His presentation to the emperor and empress are described as furnishing ridiculous scenes; and that the latter, and her attendants, burst into a fit of uncontroulable laughter, at his strange appearance. He is also said to have shewed his *private* papers—his correspondence with the president and secretary of state, urging him to accept the appointment—as if to all that he could persuade to look at them, with a string of disgusting *et ceteras*, that we have no desire to repeat. It is now about twenty-five years since we formed our *present* opinion of Mr. Randolph; and, though he sometimes shewed "method in his madness," we have ever since believed that Mr. *Ritchie's* old notions of him, as a political "*nuisance*," were just. His appointment, indeed, surprised us—surely, it was not expected that he would attend to any thing like *business*, in Russia or elsewhere.

Mr. McDuffie. It is stated that eight hundred *blank* votes were given at the late election, when this gentleman was re-elected to congress, because that no opposing candidate was offered; and the result, it is added, would have been doubtful, had he been opposed.

Massachusetts. The election for members of congress from this state was recently held. The following returns have reached us:

Nathan Appleton has been elected from Boston, (in place of Mr. Gorham declined), against Henry Lee, anti-tariff. For Appleton 3,341—Lee 2,477—scattering 11. Mr. Lee is the reputed author of the famous "Boston Report." He was supported by the whole force of the friends of the administration, though not as a candidate of that party in Boston. The scattering votes were chiefly given to Mr. Sturges, a "Clay man," who had declined a poll. [It is worthy of remark—the parties to this election, met and heard speeches, &c. both on *Saturday* and *Sunday* evenings, preceding the vote. Much is said about the activity of certain *officers* at the election.]

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* Since the preceding was in type, we notice the following copied from the "United States Telegraph." It is *characteristic* and *consistent*.

"Were Mr. Randolph also to become a member of the house, much *amusement*, if not instruction, might be anticipated, from the questions which the Roanoke orator could propound to the presidential congressman, [ex-president Adams], upon the subject of the late coalition administration. As it is, there will be several members of the house who are amply capable, and who will feel it their duty to "*bring him out*,"—for his friends say that his object in getting into congress, is to "explain" certain measures of his, about the wisdom of which the people seem to be incredulous. Gen. Root, of New York, we see, is elected; he would make a good catechiser, should he undertake the task, and we advise *the congressman* elect, to spend the coming eighteen months in getting answers by rote, for the pithy interrogatories which will probably be put to him."

Mr. Rufus Choate succeeds Mr. Crowninshield from the Essex South district, being the "regularly nominated national republican candidate." For Mr. Choate 1,750, Mr. Crowninshield 767, Mr. Cabot, (Jackson) 352—scattering 84.

In Essex North district there was no choice—for Mr. Cushing 1,079, Mr. Merrill 816, Mr. Osgood 807, Mr. Duncan 462, scattering 232. Mr. Osgood was the "Jackson candidate." Mr. Varnum, who now represents this district, declined a poll.

Gen. Dearborn, late collector at Boston, has been elected from Norfolk district, in the place of Mr. Baily, who declined a poll. The returns, so far as received, give Dearborn 1,829, Thatcher, (anti-mason) 1,049, Cushing 220, and scattering 48. Mr. Dearborn's majority would be much increased by the additional returns.

John Quincy Adams, late president of the U. States, has been elected from Plymouth district, in the place of Mr. Richardson, retired, without an opposition not worth naming.

Mr. Bates has been re-elected from Hampden district, by a large majority—for him 2,805—three others 602, of which Mr. Mills, the Jackson candidate, had 489.

J. G. Kendall has been elected from Worcester North district, almost unanimously.

In Bristol district there was no choice. Mr. Hodges, the present member, received 863 votes; Russell Freeman, 364; Mr. Ruggles, anti-masonic, 599; Mr. Baylies, Jacksonian, 209—others 11.

Mr. Everett has been re-elected from the Middlesex district, with but little opposition.

Mr. Davis has been re-elected from Worcester South district—for him 1,375—for D. Thurber, (Jackson) 490. An anti-mason received 103 votes.

George Grennell, jun. has been re-elected from Franklin district; and John Reed, from Barnstable, without much opposition.

Mr. Briggs has been elected from Berkshire district, in place of Mr. Dwight, declined.

In two districts no choice. All the rest "national republicans."

NEW YORK. We have many returns of the election which took place in this state last week. The whole is not complete, but there is no doubt of the election of Mr. Throop to the office of governor. The Albany Argus estimates his majority at about 10,000—but the Albany Evening Journal shews that it may not exceed 5 or 6,000. In all the southern counties, gov. Throop had large majorities, but in the western those for Mr. Granger were mighty; and, had not Mr. T. *out-run his ticket* in many places, it appears that he would not have been elected. In some of the counties which gave handsome majorities to anti-administration members of congress, Mr. Throop received large majorities—many not feeling willing to support the *anti-masonic* candidate. The result is a very imperfect exhibit of the force of the "Jackson" and "Clay" parties in this state. Mr. Ezekiel Williams also received a number of votes for governor, being a third candidate.

There was a third ticket run also in the city of New York for lieut. governor, congress, assembly, &c. The following may pretty fairly shew the general force of the parties in that city—

For Mr. Throop	10,654	Mr. Granger	7,838
		Williams	1,959
			9,797

The *majority* in favor of the "Tammany ticket" average about 1,000.

We shall give various particulars hereafter, for the sake of reference. The following shows the political character of the present and ensuing congress; so far as ascertained—anti-administration members in *italic*.

	Present congress.	*Next congress.*
Suffolk & Queens	James W. Lent	James W. Lent
Kings & Rockland	Jacob Crocheron	John T. Bergen
New York	C. C. Cambreleng, G. C. Verplank, C. P. White	C. C. Cambreleng, G. C. Verplank, C. P. White
Westchester	*Henry B. Cowles*	Aaron Ward
Dutchess	Abraham Bookee	*E. H. Pendleton*
Orange	Hector Craig	*Samuel J. Wilkin*
Columbia	*James Strong*	John King
Rensselaer	*Jno. D. Dickinson*	Job Pierson
Albany	*Ambrose Spencer*	Gerrit Y. Lansing
Delaware	Perkins King	Erastus Root
Herkimer	Michael Hoffman	Michael Hoffman
Saratoga	*John W. Taylor*	*John W. Taylor*
Schoharie, &c.	Peter J. Borst	Joseph Bouck
Oneida	*Henry R. Storrs*	Samuel Beardsley
Montgomery	*Benedict Arnold*	Nathan Soule
Washington	*H. C. Martindale*	Nathaniel Pitcher
Franklin, &c.	*Isaac Finch*	William Hogan
Chenango	Robert Monell	*John A. Collier*
Ulster	Charles G. Dewitt	John C. Broadhead
Onondaga	Jonas Earll, jr.	Freeborn G. Smith
Jefferson and St. Lawrence	*Joseph Hawkins*, one vacant	Daniel Wardwell, Charles Dayan
Madison	*Thomas Beckman*	Edward C. Reed
Monroe	*Timothy Childs*	*Fred'k Whittlesey*
Gennessee	*Phineas L. Tracy*	*Phineas L. Tracy*
Ontario, &c.	*Zehiel H. Halsey*, *Robert S. Rose*	*John Dickson*, *William Babcock*
Steuben, &c.	John Magee	*G. H. Wheeler*
Tompkins, &c.	T. Maxwell	*G. H. Barston.*

Three districts yet to be heard from.

The representatives in the present congress from New York stand 19 administration and 15 anti.

Judge Spencer lost his election by 372 votes. Mr. Taylor gained his, after a furious contest, (Mr. Samuel Young being his opponent), by about 500 votes. Mr. Martindale is reported to have been beaten by a majority of about 90 votes. Mr. Ward has succeeded Mr. Cowles by a large majority. Messrs. Pendleton and Wilkin were elected by handsome majorities. Messrs. Strong and Storrs were not candidates, &c.

VIRGINIA. The people of the counties of Preston, Monovgalia, Tyler, Ohio and Brooke, whose aggregate number is about 50,000 free persons, and but few slaves, have held sundry meetings, with the view of obtaining their cession to Maryland by the legislature of Virginia. The Wheeling Compiler says: "this subject will be persisted in until it is crowned with success; that there is an utter contrariety of sentiments between the people of these counties and their eastern brethren, while with their neighbors of Maryland they harmonize exactly." It adverts also to the direction which the Baltimore and Ohio rail road would take, namely, through the whole extent of the newly acquired territory, to Parkersburg, or some point on the Ohio near that place, provided the cession should be made.

GEORGIA. Mr. Forsyth has been re-elected a senator of the United States from Georgia, for six years, from the 4th March next. For Mr. Forsyth 139—Mr. T. Fort 47—scattering 18.

OHIO. Judge Burnett, one of the senators from this state, will not again be a candidate. The names of gen. Harrison, gov. Trimble, John C. Wright and W. Silliman are mentioned as proper persons to succeed him.

The vote in Mr. Whittlesey's district stood—for Mr. Whittlesey 4,114—Mr. Sloane, (anti-mason) 3,383, Mr. Raven, (administration) 1,938. We really rejoice in the re-election of Mr. Whittlesey; without being unjust to any other, we may assert that he stands at the head of the list of the *working* members, or business-men, in congress.

THE MAILS. We have a very unusual number of complaints of the irregularity, or uncertainty, of the mails, by which we have also lost several small sums of money—and the misery is, that, in no present case, can we reasonably establish even the vicinity in which the faults, or crimes, have a location. But they have chiefly occurred in passing papers or letters to or from the *eastern* states, in which, hitherto, we had very little cause to complain. There is rather an improvement, than a falling off, in the care with which our packages has long been made up. They ought to arrive safe.

It seems that the assistant postmaster at Northfield, Vermont, has been detected in robbing the mail, of pretty considerable sums of money—the amount of which, according to a Boston paper, has been paid by the post-

master himself, who had no suspicion of such proceedings.

NEW ORLEANS MAIL. The Philadelphia Chronicle states, that the post master general has effected an arrangement, with respect to the conveyance of the mail, between the city of Washington and Fort Mitchel, on the line to New Orleans, by which the mail will reach the latter city, from Washington, in two days and a half less than the time now required: with a saving of sixteen thousand dollars to the department, and the additional security of an efficient guard through the whole route. The passage now will take but twelve days and a half, instead of fifteen.

APPOINTMENTS BY THE PRESIDENT OF THE UNITED STATES. *William Claggett*, to be naval officer for the district of Portsmouth, in the state of New Hampshire, vice Elijah Hall, deceased.

George W. Buchanan, of Pennsylvania, to be attorney of the United States for the western district of Pennsylvania, in place of Alexander Brackenridge.

[Mr. Buchanan is a brother of the member of congress from Pennsylvania.]

Frederick List, of Pennsylvania, to be consul of the United States for the port of Hamburg, in place of John Cuthbert, removed.

Nathaniel Niles, of Vermont, (now in Paris), to be secretary of legation to France, vice Charles Carroll Harper, resigned.

Thomas B. Monroe, district attorney for the district of Kentucky, in place of col. John Speed Smith, resigned.

Matthew Harvey,* of New Hampshire, to be judge of the United states, for the district of New Hampshire, in place of John S. Sherburne, deceased.

OFFICIAL. The U. S. Telegraph of the 9th inst. says—The French minister had, yesterday, an audience of the president, at which he delivered to him an autograph letter from H. M. Louis Philippe, announcing his accession to the throne of France, with the title of king of the French.

DANISH WEST INDIES. A very improbable report has been circulated that Denmark, to satisfy the claims of our merchants, will cede to the United States her two islands in the West Indies. It is not at all likely that she will offer them,—and pretty certain, we think, that the United States would not accept them—on any account.

MASONRY. An act has passed the legislature of Vermont repealing the act incorporating the grand chapter and grand lodge of the state of Vermont—without opposition, the masons generally voting for it. The proceeding appears to have had its origin in a spirit of conciliation.

GOLD. The annual reports from the director of the mint, have for some years past exhibited the amount of gold received for coinage. On referring to those documents, it appears that the amount received from the southern states, has increased very considerably within several years. Previous to 1824, the supply from domestic sources bore a very small proportion to the whole amount coined, and did not, in fact, exceed $3,000 yearly. During the year 1829, however, we perceive that the gold of the United States received at the mint, amounted to about $134,000, being nearly equal to the foreign supply for the same period; and it is understood from a satisfactory source, that the amount received from the southern states within the first three quarters of the present year, has been nearly $320,000, while that received from foreign sources, within the same period, amounts to little more than half that sum. [*Phil. Gaz.*

The Salisbury North Carolina Journal, states, that a gold vein was recently opened on the land of Mr. Patterson, in Cabarrus county, and from eight bushels of earth were obtained about 450 pennyweights of fluxed gold, 344 of which were the product of the first washing. The earth was washed in the old mode, in rockers.

* Governor of the state, we believe, at the time of his appointment.

THE CONSTITUTION. Mr. *Madison's* letter, (says the Newbern *Spectator*), will be read with deep interest. It comes to us like a voice from the dead, and may indeed be considered the voice of the convention, speaking through him, who is now the only surviving member of that body. He was an early and eloquent expounder of our charter, and whatever proceeds from him on the subject, must have weight. We regret, therefore, that this letter did not appear a month earlier in South Carolina. It is in time, however, to silence, and forever, we hope, the absurd and mad idea, that a state is "sovereign and independent of the union."

FRANCE AND ENGLAND. The Paris correspondent of the London Herald says, "Englishmen have no idea of the diffusion of property in France. I have no hesitation in saying that the number of poor in Paris, taking into consideration the difference in the amount of the population, is, at least, two thirds less than in London. Upon inquiry, I found that every decent industrious individual was a person of property; they possess their 2000 or 5000 francs: the porter, the bedmaker, the chambermaid, the barmaid, the waiters at my hotel, have a little independence in the funds, or in landed or funded property."

MANCHESTER RAIL ROAD. We shall give a particular account of this great work. No one can *calculate* the effects of this grand and successful experiment, in its various influences over men and things, in all parts of the world. It stands at the commencement of a new æra, as to transportations on land, like the application of steam to the purposes of navigation, in conquering both time and space. The distances between places is now often rather measured by *hours* than by miles. The question, for example, is often asked, "how *far* is it from New York to Newburg?" and the answer frequently is, "about five hours."

The Baltimore "American," says—A letter from a most respectable citizen of Liverpool to another in this city, furnishes the following interesting information relative to the Liverpool and Manchester rail road. It is but a comparatively short time since the stock in this company was sold at a rate much under the par value—it now commands an advance of one hundred per cent.

Liverpool, September 23, 1830. We went yesterday morning to Manchester at 7 o'clock, and returned at 4 in the afternoon. We occupied about four hours and twenty minutes in going and returning; our speed was varied, depending upon the firmness of the road, at all rates up to twenty-two or twenty-five miles per hour. The company's orders are that the journey shall be performed in two hours and a quarter—the quarter is allowed for watering, taking up and setting down passengers. The hours of departure, both from this and Manchester, are 7, 12 and 4 o'clock; four carriages attached to one engine depart at each trip with 120 passengers. The charge is seven shillings for each; the receipts are consequently *l.*252 per day, or *l.*1,764 per week. The stock is selling to-day at *l.*200 per share for *l.*100 paid in."

BRITISH PARLIAMENT. We give a list of the prices which it cost to be an orator, or having the pleasure of listening to sir R. Peel's speeches on the constitution, in the last parliament. The last Leicester election cost Mr. Evans *l.*19,000, Otway Cave, *l.*10,000, sir Charles Hastings, *l.*16,000, and the corporation, *l.*16,000, in all, *l.*61,000. Warwick costs *l.*27,000 without bribery; Stafford *l.*14,000, where the voters displayed the Beaumont cockades, said to be worth *l.*5 each, in their hats. The china of the Camelford voters was occasionally wrapped, by accident, in *l.*1 bank notes. The Northumberland election cost a very large sum; Mr. Bell probably paid between 60 and *l.*70,000 for his seat of two months from February, and his four session's seat from July, 1826. Mr. Liddle probably *l.*50,000; lord Howick, *l.*12,000, and Mr. Beaumont was charged upwards of *l.*100,000, though he contrived to pay a much smaller sum. Yorkshire cost Mr. Marshall *l.*30,000, and in 1806, the same county, in the great party contest between earl Fitzwilliam and the earl of Harewood, cost the former *l.*150,000, and the latter *l.*100,000, whose son, the present earl of Harewood, then viscount Lascelles, lost the election; *l.*40,000

were raised by subscription to support Mr. Wilberforce, but only £25,000 were expended, the remainder being given by the committee to *various public charities*. The contest between lord Belgrave and sir J. C. Egerton, for Chester, cost lord Grosvenor £70,000; and, eventually, it is estimated, more than £300,000. We say down with the buyers and sellers both, and long live king William!

[*Monthly Magazine.*

FOREIGN NEWS.

From London and Paris papers to the 8th and 9th October.

EUROPE GENERALLY.

Judging by the last accounts, the peace of Europe, except because of contests between the people and the kings, &c. *may* be preserved. The disposition to do this, is manifest in the proceedings of France, Prussia and Great Britain. The principle of the French revolution will, and *must* be, subscribed to.

The following speech, made by the French minister of foreign affairs in the chamber of deputies on the 9th ult. will show that no war was anticipated by him.

The minister of foreign affairs—I seize eagerly, gentlemen, this opportunity of giving the explanations that are asked from me. When a government is newly established, delays always occur before pre-existing governments acknowledge it. It would seem that time is required to verify facts and ascertain rights. Such, however, has not been the conduct of Europe with regard to us. Our cause was so just, our triumph so pure, that she hastened to salute at its birth an order of things which commanded her esteem, and from which she could have nothing to dread. Everywhere the notification of the accession of the king of the French has been received in the most friendly manner, and our relations with all the powers are re-establishing in the order of distances and without any other delay than those causes. Europe desires as sincerely as we do the maintainance of peace. From all sides we receive the most positive assurances on this head, and I have the most entire conviction that it will be preserved.

The occurrences of Belgium may have occasioned some uneasiness, and it was reasonable that they should cause serious reflection;—(Hear, hear)—but I have also the firm hope, that they can be conducted to an issue which will reconcile all interests, while it consecrates the principles of non-intervention—probity and dignity, such shall always be the policy of regenerated France. We have that moderation which is the companion of strength, and that firmness which springs from justice. France asks for nothing but what belongs to her: she would rise in mass for the defence of the least of her rights.

No, gentlemen, the peace of Europe will not be interrupted: Such is the desire, such the want, of all.—(General marks of satisfaction.)

The minister of war, *marshal Gerard*, rose immediately after his colleague, to explain the motives of the late ordonances respecting the augmentation of the army.—After entering into detail to show the necessity of the measures, he thus concluded:—

I may give the assurance that events whatever they may be, will not find us unprepared *(bravo)*; but at the same time I repeat the declaration, France desires peace, but does not fear war. If they should dare to force her into it against her will, besides that immense national guard already formed, and that moveable national guard which is about to be organized, numberless battalions of volunteers would spring from the soil, as forty years ago they did, to defend the country, if attacked.—[Great exclamations.] In these holy sentiments, all arms and all opinions would be united. But we repeat, France does not desire war, and every thing assures us that she will not be compelled to prove a second time, as forty years ago she did, what she can effect, when she arouses herself, and when, for herself, and by herself, she is called upon to defend liberty and her own soil!—[Applause and great agitation.]

FRANCE.

The pope has acknowledged king Louis-Philip. So also has the king of Naples.

A royal order has appeared calling out 108,000 men for actual service. This caused some excitement—but was explained as only for the purpose of putting the army on its ordinary footing, that having been affected by the expedition to Algiers, &c.

The great house of Vassal & Co. has failed at Paris—petitions had been preferred to the king for a loan of three millions, on good security—as a stoppage of their factories at St. Quentin would throw about 25,000 people out of employment.

Lafayette was gathering even a greater degree of popularity.

A proposition to bring the ashes of Napoleon to Paris was made in the chamber of deputies, but promptly rejected.

The minister of the interior has given orders to those persons who have established printing offices since the revolution, without license, to close their offices. A *reform* is wanting here.

The whole arrival of gold and silver, and other precious things from Algiers, is put down at 43,000,000 francs —say eight millions of dollars.

The poor wounded in Paris, who have been relieved by the munificence of others, are now uniting to raise contributions for the poor wounded of Brussels.

Admiral Codrington has sent ten pounds sterling to vice admiral de Rigny, for the benefit of the wounded at Paris.

Admiral Dupree has arrived at Paris.

At the sitting of the chamber of deputies, on the 7th of October, M. Curin Gridaine stated that the deputation of 40 men, who were wounded at St. Cloud and Paris, had sent a petition, praying for the abolition of the pain of death, and declaring that a few flowers strewed on the tombs of those who had perished in the national cause, would be sufficient to appease their departed spirits. This petition excited considerable emotion, and, after a slight discussion, it was ordered to be reported on Saturday.

The committee of the chamber of deputies appointed to consider and report on the proposition of *M. Destut de Tracy*, for the abolition of the punishment of death, reported at length on the 6th, *against* the *total* abolition of that punishment, but in favor of its abolition in very many cases. The report dwells upon other important mitigations in the penal code, and concludes with a recommendation that the government should take measures to reform this code, and meanwhile that the consideration of the proposition of M. de Tracy be adjourned.

A bill passed the French chamber of deputies on the 18th of Oct. appropriating 30 millions in the year for the benefit of commerce, at the direction of the minister.

The king of the French has granted a pension of 20,000f. ($4,000) to the widow of marshal Ney. By an ordinance the 2d, a great number of officers serving in admiral *Dupree's* fleet, are promoted.

A letter from Paris, dated Oct. says—The Moniteur of this morning contains a report addressed to the king by the minister of the interior, which, after stating that very important and essential points in the proceedings at elections have hitherto been regulated by ordonances, which points, as well as all others, will hereafter be fixed by law, proposes that, in the absence of such law, instructions should be transmitted to the departmental authorities relative to the formalities to be observed at the approaching elections. The report disclaims all attempts on the part of the government to exert influence over the elections, and sets forth that these instructions founded upon laws and precedents, are merely intended to establish regularity and maintain order. This report, approved by the king, is followed by the instructions in question, which fill four columns and a half of the official journal. The Moniteur also contains five royal ordonances, by which numerous appointments are made in the ministerial and judicial departments.

Discussion is very free in France—but there does not appear any idea of *nullification* there. The *public will* is respected, though *individual opinion* ranges at large. This is shewn in a discontinuance of the clubs, at Paris, which threatened the public quiet.

The ex-ministers who signed the ordinance of 25th July, have been severally charged by the chamber of deputies, as follows:

"1st. For having taken advantage of his authority to falsify the elections, and deprive the citizens of the free exercise of their civic rights."

"2d. For having violently changed the institutions of the kingdom."

"3d. For having conspired against the internal security of the state."

"4th. For having excited war by arming the citizens against each other, and given rise to the devastation of the capital and some of the provinces."

These charges were adopted by a majority of 3 to 1—say about 220 to 75. The ministers will be tried by the chamber of peers.

The French frigate Atalante, accompanied by a corvette, was to proceed to the Tagus to cause the persons and property of Frenchmen to be respected.

Government has sent orders into the departments to remove from the public places all the crosses set up by the missionaries, which are to be transferred into the interior of churches, in pursuance of the express terms of the law.

At the sitting of the chamber of deputies on the 4th of October, M. Etienne brought up the report of the petition committee, on the petition of M. Gallery for the suppression of the Jesuits, a petition presented before the dissolution of the chambers. The report spoke of the society as a dangerous institution, as the adviser and accomplice of the late oppressive government, observing that it should be watched with strict jealousy—that the state can and ought to discard from all share in the management of public affairs, persons whose professions were at variance with the public institutions; but that here the rights and duties of the states are bounded—and that, therefore, the expulsion of the Jesuits, prayed for by the petitioners, would be an act of oppression, and contrary to the principles of universal toleration which the state ought to proclaim and maintain. The recommendations of the committee were adopted.

GREAT BRITAIN.

The Russian ambassador had several interviews with the earl of Aberdeen and the duke of Wellington.—The duke, it is stated, had been strongly urged to interfere in behalf of the king of the Netherlands; and the ambassador has declared that he is bound to do so by the treaty of Vienna. It is asserted in the best informed circles, that the king has declared against any interference, on the ground of impolicy, although he wishes good faith to be kept.

There is much talk of changes in the British ministry—and some think that even the duke of Wellington will soon be out of office.

Mr. Brougham has brought forward a plan of reform in parliament. It is simply to give representation to the four large towns of Leeds, Birmingham, Sheffield and Manchester—to shorten the period and diminish the expense of county elections, by taking the poll on one and the same day at different places in the county—and to assimilate the elective franchise in Scotland to that of the counties in England.

General Bourmont had arrived at Plymouth, England, with a single aid-de-camp, from Algiers. He proceeded immediately to Lulworth castle, the residence of the ex-king.

An English paper says—Our good king William seems to be quite as much of a citizen-king, as his new majesty of France, or farmer Jackson. He tells the sentries about his palaces "to be off—he can take care of his own things without the help of soldiers." He rides about Brighton in a fly, called off the stand—and his queen tells the maid servants that they must doff their finery and wear aprons.

The British funds have experienced a considerable depression.

The bank of England has a balance of about $9,000,000 of undivided profits, besides the value of its buildings.

RUSSIA.

A letter from Warsaw, dated September 20, says—The recognition of Louis Philip by the Russian government has taken place. The orders lately given respecting French travellers in Russia and Poland are revoked, and all Frenchmen, whose passports are regular, have free admission and passage as before the revolution of July.

NETHERLANDS.

It is announced from the Hague, that the king has appointed a commission to prepare the project of a law for the separation of Holland and Belgium; on amicable terms. It would rather appear however, that the king expects his oldest son to have a sovereignty over the latter, which we do not think will be agreed to. The Belgians have established a provisional government, and issued the following

Declaration of Independence.

The independence of Belgium was declared at Brussels on the 4th of October: the following is the decree:

The central committee taking into consideration that it is necessary to arrange the future state of Belgium, decree—

Art. 1. The provinces of Belgium, violently separated from Holland, shall constitute an *independent state.*

Art. 2. The central committee shall occupy itself as soon as possible, with a project of a constitution.

Art. 3. A national congress shall be convoked, in which the interests of the provinces are to be represented. It shall be their duty to examine the project of a Belgian constitution, and modify it in such manner as they may deem advisable, and cause it to be executed, as a definite constitution, in all parts of Belgium.

DE POTTER,
CH. ROGIER,
SYLVAIN VANDEWEYER,
Count FELIX DE MERODE.

Brussels, Oct. 4, 1830.

Proclamation of the provisional government.

Brave citizens—You have driven off the enemy from without: we must now take measures against an enemy in the midst of us, and one not less adverse to the consolidation of our edifice of liberty. Without the most inviolable respect for persons, and public and private property, we shall never attain the noble objects at which the friends of the country aim. War against our enemies—peace to our citizens. We are all brethren, alike interested in the preservation of internal order, as we are alike interested in the extermination of the incendiaries who menace us. We call upon the citizens mutually to protect each other. All persons and all property are under the protection of all. The noble cause which the people has caused to triumph, is too pure to be allowed to be soiled by the commission of any excesses. Let us leave to the enemies of Belgium pillage and burnings! Belgians, carry fire and sword only into the ranks of the Dutch. Brussels, 30th September.

DE POTTER,
CH. ROGIER,
SYLVAIN VANDERWEYER.

To the central committee.

Large supplies of cannon, small arms, and of the various munitions of war, have fallen into the hands of the Belgians. The materiel found at Ostend, only, was valued at 7,000,000 florins. Nearly all the citadels and strong places were in their hands, and they had taken several military chests, well supplied. There had been a good deal of fighting at many places, but in every instance, the people seem to have had the advantage. 25 or 30,000 volunteers had assembled at Brussels.

On the 6th Oct. the following order was issued—"The central committee of the provisional government of Belgium, considering that the Dutch government forms commissions at the Hague, composed among others of Belgians, formerly members of the states general, to treat of the affairs of Belgium, and considering also its decree of the 4th October, 1830, on the independence of Belgium, declares as null, and as attacks on the independence and security of the state, all acts or transactions which Belgians or others, not commissioned with powers from the provisional government of Belgium, may take it upon themselves to pass or conclude."

It would appear that the Hollanders were much opposed to a war with the Belgians. At Amsterdam the women cried out that their husbands and children should not be dragged to butchery. The payment of the interest on the floating debt had not been made; and the value of the active debt had fallen from 65 to 40, and no sales even at that low price, though lately at the high one, regarded better than gold.

It seems that Prussia will not interfere in the affairs of the Netherlands.

M. Potter, an editor who was exiled from Brussels, has returned, and was received with the plaudits of the whole people—and immediately taken into the provisional government. Gen Van Hallen appears to have acquitted himself with great ability.

A letter from Brussels dated 29th Sept. says—"The commander in chief of our troops has notified prince Frederick that he demands Messrs. Ducpetinux and Pletincky, in exchange for two superior officers, informing him that if refused, all these shall be shot at nine this morning."

The number of houses burnt and otherwise destroyed at Brussels during the late events, is reckoned at two hundred.

The tri-colored flag, in union with that of Brabant, was flying in many parts of the Netherlands. A large portion of the people appear to wish a union with France—but that cannot be expected to happen—as things stand at present.

The Dutch troops are charged with monstrous excesses at Brussels and its vicinity. The violations and murder of women, the wanton waste of life and property, are spoken of in the severest terms—but, probably much exaggerated.

A very large number of Dutch officers and soldiers have been made prisoners. These will be held as pledges for the safety of Belgian patrints captured.

Most frightful accounts of the excesses committed by the Dutch soldiery in the late combats at Brussels, have been received both in Paris and London.—Letters published in the London Morning Chronicle, from a clergyman of the church of England, detail a series of horrible barbarities. According to his account, several young ladies were violated, and then in a kind of savage mercy, butchered before their parents' eyes. A private letter received in Paris says—"The Dutch villains in the late contest, behaved with the utmost barbarity, and committed every kind of crime. Citizens without arms, found by them in their houses, were crucified, burnt, had their hands, ears and noses cut off, and their tongues torn out; the young ladies of a school were violated by those monsters, and afterwards massacred; in short the diabolical deeds committed by these wretches are such that it is impossible to describe them, and I should not believe them, if they were not confirmed by those who witnessed them."

The exasperation of the people of Belgium at these excesses, has given additional strength to their determination never again to unite with Holland. In the mean time, they begin to calculate their means of resistance. The population of Belgium is estimated at four millions, and the number of men from 15 to 60 years of age, capable of bearing arms in case of an invasion, is computed by M. Moreau de Jonnes, at 1,198,329 men.

SPAIN.

The French papers are filled with rumors and reports from Spain. Orders had been given to the *monks* at Barcelona, to arm themselves to defend their convents. Several persons had been executed in that city, and their families banished. A fierce persecution prevailed there. All the dependents on the *church* were against the people. A great plot for the assassination of the king is said to have been discovered at Madrid. The liberals have been massacred at Oviedo, "by assassins organized by the bishop." In all the provinces, the priests and monks were preaching to the people, exhorting them to make a St. Bartholomew massacre of all the liberals.

The Temps, of Oct. 3, gives a letter from Madrid, of Sept. 27, which says:—"News has reached here that the inhabitants and garrison of Cadiz, have proclaimed the constitutional government."

There is a report that Ferdinand would offer a charter to the people of Spain, and thus defeat the plan of his enemies!

See "Spanish Circular," page 192. We have some sympathy for poor Ferdinand, for it seems that the chiefs of the priests are against him, and seek his deposition. Hence we think that there is some, to us, undiscovered good in him.

GERMANY GENERALLY.

There were great disturbances in Hesse Cassel, Darmstadt, Saxe Weimar and Hanover; Bavaria was also threatened. Bands of armed men had collected and committed many excesses, and there was some fighting. The Germanic diet was adopting measures for the preservation of order, and had commanded the marching of troops for that purpose.

The ex-king Charles is said to have asked an asylum in Austria.

The coronation of the imperial prince of Austria, as king of Hungary, took place on the 28th September. The royal family was to pass some days at Presburg.

Madam Christophe, widow of the emperor of Hayti, had arrived at Vienna with her two daughters. She was to pass the winter in Tuscany.

TURKEY AND GREECE.

By the accounts from Smyrna, the Turks appear to have the intention of abandoning Attica, as they have burnt the forests that remained in the plains of Athens.

A letter from general Schneider, commander of the French troops in the Morea, announces that he and his troops frankly and joyfully concur in the measures which France has judged necessary for her safety and her liberties.

MISCELLANEOUS.

All the Turks have been expelled from Algiers. A corps of 15 or 18,000 Moors and Arabs had been organized, and taken into the pay of France, by gen. Clausel.

The late dey of Algiers will take up his residence at Leghorn, where his agent has purchased two houses for him.

Switzerland was in a much disturbed state.

Extract of a private letter of the 23d ult. from Rome:—"The influx of French priests fills the streets of Rome, it increases daily, and the hospitality of the Christian capital will soon be found insufficient for this extraordinary pilgrimage. These ecclesiastics pretend that they were driven from their churches, when Charles X. was deprived of his crown. They complain of persecution, of the triumph of impiety, and the contempt to which the Catholic religion is exposed. They are conspiring here against their country, and wish to arm the holy see against France. The resignations given in France since the fall of Charles X. by judges and deputies, find many imitators here among the prelates and canons, who are paid by France." [But the pope has acknowledged the new government of France.]

A rumor is put forth that the young queen of Portugal is to marry a son of the king of the French. This can be only a mere *speculation*.

The bey of Constantine has sent his submission to the French. The bey of Tripoli has engaged to write a letter of apology to the king of the French, and pay 800,000 francs; because of certain claims made upon him. By other articles of the treaty, he formally renounces, for himself and his successors, the right of fitting out privateers against Christian powers, which, when at war with the regency, are likewise to abstain from exercising this right against the trading vessels of Tripoli. He abolishes in his states the slavery of Christians, the tribute paid by European governments, and the monopoly of trade. He engages to give to foreign vessels, driven on the Tripolitan shore, the necessary aid, to pay the value of the effects which may be plundered, and pay a fine for murders committed on the crews belonging to such vessels. The bey of Tunis, by a treaty signed August 8, has contracted similar engagements."

One day later from England.

The accounts of the riots at *Berlin* are said to have been much exaggerated—and it is denied that the Dutch troops at Brussels committed those excesses with which they have been so severely charged.

There are some indistinct notices of disturbances at Madrid.

Many volunteers had gathered at Brussels, offering their service. Another visit from the king's troops was expected, for he was making efforts to strengthen his army.

The relations between Great Britain and France are spoken of as being very friendly.

A new telegraphic system is about to be introduced in France, for the use of merchants and others. It is thought that a despatch, containing several lines, may be transmitted 100 leagues in a few moments, at a cost not exceeding 20 francs.

The London Morning Chronicle says of the political condition of England:

"There are warnings which ought not to be neglected. The aristocracy and the church are boldly denounced every where as the enemies of the country. This expression of a deeply felt conviction is not to be trifled with. The time for sneering or rallying is gone by.—During periods of indifference, men may be laughed out of their feeble resolves; but enthusiasm and resolution never yet were turned aside by such weapons."

The same paper has the following *awful* proclamation as to the power of the duke of Wellington—

"The duke of Wellington could easily obtain parliamentary majorities—aye, large majorities—to support him in any crusade against Belgium, we firmly believe. The aristocracy and clergy of this country are filled with the most deadly hatred against all that promises to raise and improve mankind in every country, and the late revolution in France has almost deprived them of their senses. If the duke, therefore, on whom, at this moment, so heavy a responsibility rests, were to plunge the country and Europe in war (for to that it would come), we candidly own that we are without hope. The people of England are so completely the slaves of the aristocracy, they are so accustomed to be trodden on, that they would be found we fear, without the proper spirit to act as they ought to act, in so trying an occasion. The passion of the aristocracy blinds them; and it would, therefore, be in vain to urge to them the consequences of plunging Europe in another war—of loading this country with heavier burdens—and the dreadful re-action which might one day follow the breaking loose of a people no longer able to bear their sufferings. Passion never listens to reason. The English aristocracy have not yet shewn in any one instance that they were governed by any regard for the millions of their countrymen. Our sole reliance is on the minister; and may he, in this trying conjuncture, be guided by a spirit of wisdom and moderation!"

London papers of the 11th Sept.

The price of wheat had further declined, and the duty was rising. No further fighting in the Netherlands was reported. A separation of Belgium from Holland was spoken of as a thing about to happen, under the mediation of France and Great Britain—the prince of Orange to be made a king.

France has formally acknowledged the independence of the new American governments.

Eighteen of the ships employed in the Davis's straits fishery have been lost in a gale; six of them belonging to Hull.

SPANISH CIRCULAR.

[*Letter from Madrid.*]

The minister, Calomarde, has recently addressed to all the courts royal of the kingdom, and to the bishops and arch-bishops, a secret circular, which plainly shows of what stuff our statesmen are made, what sort of ideas and principles they have, and how they endeavor to conceal the immortal events which have taken place in Paris. He says:—

"The French revolution, which disturbed the peace of Europe in 1789, has lately re-appeared, with all its ill-omened symptoms. The factions, after proscribing the august dynasty which had rendered the kingdom of France happy and powerful, loudly cry out for the whole fruit of their victory, and require from the provisional government the entire abolition of hereditary rights; that there should no longer exist a privileged religion; that the Catholic church and the support of its ministers should cease to be a charge on the state, and be left to the charity of the public; that the municipal and provincial authorities, and those who command the military force, should be elected by purely democratical means; that the high functionaries, distinguished by their loyalty to their unfortunate king, or by their adhesion to institutions preservative of legitimacy, should be either placed beyond the pale of the law, or deprived of all political influence; and that magistrates who dispensed justice from the tribunal, should be stripped of their functions. These and similar demands sufficiently indicate the future condition of this great nation worthy of a better fate than that which awaits it, and make Spain tremble, on account of her propinquity, and the state in which she was left by the last civil commotion. Already the incorrigible of 1820, who, flying from the just punishment which awaits their atrocious crimes, found refuge in foreign countries, begin to show themselves, though in insignificant numbers, on our frontier, encouraged by the events which have taken place in France, and concert projects of insurrection and desolation, forgetful that, although at the two epochs termed constitutional, they created among us novel interests, which were suggested to them by some of their partisans, the general mass of Spaniards, animated by a religious and passionate love for their king, and the salutary monarchical institutions, will oppose to them, with the aid of a numerous royalist militia, a royal and compact force, which neither they nor their accomplices will be able to conquer in any point of the kingdom, where their despair may drive them to begin their attempts, even though they choose those parts which are not defended by the troops of the line.

However, these enemies of our repose will doubtless endeavor to ruin a power which they cannot openly attack, by exciting jealousies, fomenting discords, and by inspiring distrust against the authorities and their measures; for revolution, stripped of her mask, is, generally speaking, clothed with pretexts of a very different color from what she aims at; and if she succeed in destroying the elements which constitute the force of government without finding a strong opposition, she proceeds to give law to the sovereign, to overthrow the altars, to sacrifice the ministers of religion, to destroy all hierarchy, to attack the rights of property, and to inundate the country with blood and horror, as she did in the years 1820 to 1823, an epoch during which the prime movers of those scandalous proceedings amassed their fortunes, leaving us for the entire loss of our colonies, the ruin of our agriculture, our commerce, our industry, and the payment of immense sums which are due from good faith and justice, to those who contributed towards our pacification; and what is more unfortunate still, the sad necessity of employing measures of rigor to re-establish peace and good order.

"The king, our lord, having always present to his mind the sad picture of our last disorders, is on the watch to prevent the return of those miserable periods, and, persuaded that the best means of effecting this is to maintain union and sound doctrine among the immense majority of the nation, whose spirit is entirely opposed to that of France, has already dictated, and is still about to dictate, different measures, in order to ensure us of this inappreciable benefit, at the same time that they will blast in the bud every attempt against established order.—His majesty, wishing then to ensure the success of his measures, has deigned to determine that I shall write to the reverend archbishops, bishops, and presidents of the chanceries, and courts of the realm, to inform them, as I now do, of the situation of our neighbors, and of the dangers which menace us; and that I take the same opportunity of exhorting all men, in his royal name, to employ their authority and personal interest to preserve the public tranquillity and respect for the laws, to inspire those under them with the highest confidence in the measures by which the wisdom of his majesty purposes to avoid the contagion of the evils which are passing under our own view, and to make known the interest which all classes have in actively co-operating for the accomplishment of his good and august intentions. Thus trusts the king, and I, in virtue of his sovereign orders make it known to you," &c.

REFORM IN ENGLAND.

At a meeting held in Leicester, England, to celebrate the triumph of the French, the *reverend* Charles Berry, after an eloquent tribute to the French, who, he said, "merited the eternal gratitude of mankind," who "now stood in the front of the civilized world," and "who in three days had done more for the cause of freedom than we had achieved since the time of Cæsar and the Romans," proceeded to say, "This is, undoubtedly, the greatest blow that has been given, in our time, to king-craft and priest-craft; these two are generally combined; and now, mark, gentlemen, what I am about to say; if I have well-weighed any part of my address, it is this—I will use no terms that I have not selected, and I declare

that of king-craft and priest-craft, the latter is more mischievous than the former [cheers.] I do not believe that the priests—I mean not Catholic only, but all Protestant priests; I mean not only the priests of France, but likewise of the town and county of Leicester.

I verily believe that they are the most inveterate and implacable foes that the liberties of mankind have to contend with [cheers.] Some honorable exceptions, no doubt, there are; but as a body, they are the sworn apostles of bigotry, and servility, and slander. What has occurred the last few weeks amongst us, justifies me in thus speaking, and no reform in England will ever be worth considering that does not clip the wings of these gentry, and place them more in accordance with the spirit and light of the age; that does render them the enlightened guides of the flock, instead of what they too generally are—mean sycophants, odious tithe-hunters, ever active to keep the people in slavery and darkness [cheers.] I will venture to warn them, that if ever a revolution should be effected in this country, their conduct will not be forgotten; they will drink deep of the cup of just retribution.

It is a still more painful consideration that the spirit and conduct of the clergy will produce among the rising generation a contempt for religion and its ministers, and render infidelity as fatally prevalent amongst us, as it is reported to be in France [cheers.] I will only add, that I rejoice in these events, not only as great in themselves, but because they are pregnant with important and beneficial consequences to other nations, and think what a glorious occurrence that must be, which not only benefits the country in which it happens, but extends its healing influence to surrounding nations: which moves and agitates, not to injure, but to bless mankind. Depend upon it, there is not a despot upon the earth, that does not turn pale when he reads the story of the French revolution; he involuntarily raises his hand, and feels whether his crown is upon his head, and if so, whether it sits firmly; and he will look round to see if he can, even by stealth, do something that may procure him a little popularity, and lighten the fetters of his subjects, or rather his slaves [laughter and cheers.] This event has already shaken Belgium: it will overthrow the miserable tyrants of the peninsula: It will regenerate Italy, Prussia and Germany, and even Turkey, Russia and China will one day reap the advantage of it. Last, but not least, it will do more than any thing that has ever occurred to bring about a reform in this country [cheers.]—Thank God, we have an intelligent people and a liberal minded monarch, and if the inhabitants of England have but a portion of that union, and valor, and generosity, and devotion to the public good, which has been so strikingly displayed in France, it will not be long before they have accomplished such a reform in our representation as shall render the horrors of a general convulsion unnecessary."

ENGLAND—IN OLD TIMES, &c.

We meet with certain following articles in the "Boston Courier." They are exceedingly interesting, as shewing the ancient hostility of England to her American colonies, now the United States, because of applications of some portion of the surplus labor of the people to the important concern of clothing and supplying themselves, with various manufactured articles.

It was the spirit of the whole British nation to keep the colonists as "hewers of wood and drawers of water" to the "mother country." But at a very early period, the British ministers, and others, began to be jealous of the growing population, and free-breathings of the people of our land—and, to keep our fathers in a state of *dependence*, was the leading thought of every British statesman concerning us. Even the great, and otherwise good, *William Pitt*, would not have allowed us to manufacture "a hob-nail"—he desired that we should be dependent even for *that*, much as he talked about liberty and condemned oppression!—an inconsistency reconcilable only because that, with all his liberal opinions, he was as pure a John Bull in his heart, as those who wished to prevent the *Irish* from catching herrings in their own bay of Wexford, because it interfered with the profits of *English* fishermen, who might supply the Irish people with English-caught herrings!

This spirit of the British nation thus early shewn, has not been weakened by changes of circumstances or the lapse of time. When the war of the revolution was over, and the independence of the United Colonies was acknowledged by the treaty of Paris, lord Sheffield consoled his countrymen with the prospect that our *political* independence would be balanced by a *moral* dependence on Great Britain, because that we could not manufacture for ourselves; and it is well remembered, that certain English artists and machines, which clandestinely reached the United States soon after the peace, were bought up and sent back, that we might remain ignorant of the means of supplying our own wants; and England, who had *stolen*, whenever and wherever she could, the inventions of other nations, became a fierce persecutor, that she might continue to possess the advantages thus feloniously obtained. She had given up political government over the United States—but *dominion* had not passed from her; and hence associations were formed for the encouragement of domestic manufactures even before the adoption of our constitution—for the whigs of that day perceived that "the revolution was not over" until they could supply themselves with all articles of necessity, and many small beginnings were made—the greater part of which, however, soon perished, because of British hostility towards them, manifested in a thousand different shapes—"*sometimes in fives*," as Cobbett has said. And if those who can look back 40 years, will refer to their own knowledge of manufacturing establishments, they will feel the force of this remark. I can well recollect when the *wilful* conflagration of a factory, seemed as if entering into the *calculation* of persons interested in its concerns. Still—by degrees, step by step, we marched onwards. Agricultural implements began to be made, and many of the mechanic arts to flourish. The history of the progress of these is deeply interesting,* and we may endeavor to give sketches of their advancement at some future day; and, with them, we had a few of the ponderous manufactures of iron, and some of other metals and coarse earths, &c.—The sudden enlargement of our navigation and commerce by the French revolution, begat the necessity of many domestic manufactories, and these begat others, in geometrical progression,—mainly, tending, however, to the business which the wild state of Europe had cast into our hands, for a season—but the people of the interior were chiefly clothed and supplied with the products of their own spinning wheels, looms and workshops, and some surpluses reached the cities and large towns.—After a flood of commerce, which excited the jealousy, or hate, of European nations, came on the embargo and other restrictive measures, to protect the persons and property of the United States. These produced a necessity of looking into our own resources. Household industry was greatly increased, and many costly manufacturing establishments were projected or built. A much extended attention was also given to the construction of roads, bridges and canals—for the vastly superior importance of the *interior trade*, as compared with the foreign one, manifested itself. Then came on the war, and the pinching necessities of the people for various useful articles, urged a premature growth of large factories, seeing that the war was ended before they had acquired that consistency and strength which might bear competition with European establishments, and excessive losses followed the peace,—not so much felt by the people just then, because of the high state of excitement which a rushing into trade had unhappily caused. *England again commanded our market*—immense issues of our paper-money-manufactories called banks, returned

* We have the following in the "Boston Patriot," and hope that the pamphlet alluded to will be given to the public.

"A pamphlet now exists, published soon after Madison's resolutions were offered under Washington's administration, anonymous, but with Jefferson's own hand stated to be by James Madison, which mentions the leading object of the federal convention of 1787, for framing a constitution to have been, to PROTECT our own industry by commercial regulations, countervailing the European regulations.

"A gentleman not long since told me that Mr. Madison gave him a copy of the pamphlet, as his own production."

to their old state of rags, and property of almost every description, as valued by a new money-matter, appeared to have lost three-fourths of its former estimation. One wide ruin seemed spread over the country, for Britain *forced* in supplies of goods to the whole amount that we could possibly pay for in cash, or such articles as it pleased her to accept in exchange. Economy was compelled—and, after a while, the nation began slowly to revive. The tariff of 1816 had helped us some, and that of 1824 rendered immense benefits to the United States, though it also caused mighty losses to individuals. Britain again thought that she had our manufacturers down, and millions worth of her goods, fraudently imported, were hammered off by auction, sometimes at an actual loss—that, the market being glutted at one time, a rich harvest, in advanced prices, might be reaped at a subsequent one. But the "American System" was now well understood and highly appreciated—and, though its practice had not accomplished much for the manufacturers, its kind principles were felt by the farmers and others, in the vast *home market* which it had created, and these rallied themselves, and caused the enactment of the law of 1828—not such a one as was wished, but the best that could be obtained, at a period of great political influence and feeling. And so we proceeded, until now, (it cannot be thought extravagant to assert), our country is in the highest state of real and solid prosperity that it ever enjoyed—many large fortunes are not rapidly accumulating, but the productive classes live in much comfort and are getting forward; and it would seem that the whole world is in debt to us, judging by the low rate of exchange and the abundance of money in the banks, &c. At a late public sale at New York 3,200 dollars of the *three* per cent. stock were sold at 93½ per cent. And what has brought these things about? We say, *profitable employment of labor*, which includes a general abridgment of the power of Great Britain to keep us *dependent* on her, as it has been her design from the first planting of the colonies to the present time, that we should be.

With these desultory remarks, intended as mere hints of important things, we shall proceed to offer the extracts which gave this train to our thoughts. They embrace the whole of the present *British system* of free trade*—but without those disguises in which British agents in the United States now clothe it. We cannot fail, however, to express our astonishment, that some, who should be regarded as high-minded and lofty Americans, are so deluded by British cunning, as to fall into this doctrine, though the *practice* of Britain is diametrically opposed to her *preaching*. The fish, oil and lumber of New England, the grain and flour of the middle and western states, are virtually prohibited to the consumption of the people of Britain, and tobacco is taxed *ten times* its cost in our country; every product of our industry, except in the growth of cotton, is as if forbidden——and yet a spirit is operating that will not claim RECIPROCITY—which is content with *foreign* regulations of *American* trade! Indeed, we cannot understand this, but in assigning bad motives or a want of thought—equally disgraceful to the American name.

From the Boston Courier.

Preamble to the act 15 Charles II. [About 1661-2.] "And in regard to his majesty's plantations beyond seas are inhabited and peopled by his subjects of this kingdom of England, for the maintaining a greater correspondence and *kindness* between them, *and keeping them in a firmer dependence upon it;* and rendering them yet more beneficial and advantageous unto it in the further employment and increase of English shipping and seamen, *vent of English woollens and other manufactures and commodities*, rendering the navigation to and from the same more safe and cheap, and making this kingdom a staple not only of the commodities of these plantations but also of the commodities of other countries and places for the supplying of them, *and it being the usage of other nations to keep their plantation trade to themselves.*—Be it enacted, &c.

"With the increase of population and wealth, the colonists began also to introduce sundry manufactures, for their own consumption, such as woollen and linen cloths, iron, hats, paper, &c. This excited the jealousy of the British manufacturer, and various complaints were made to the lords commissioners of trade and plantations, and to parliament, by the merchants, planters and manufacturers, that the colonists were carrying on trade *and setting up manufactures injurious to them, and to the interests of the parent country.* In consequence of these complaints the British house of commons in 1731, directed the board of trade and plantations to make a report, "with respect to laws made, manufactures set up, or trade carried on in the colonies, detrimental to the trade, manufactures or navigation of Great Britain." In pursuance of this order, the board of trade made a report in which it is stated, that the following complaints have been lately made to this board against some plantation laws, viz: "In Massachusetts bay an act was made to encourage the manufacture of paper, which law *interferes with the profit* made by the British merchant, of paper sent thither."

"In New England, New York, Connecticut, Rhode Island, Pennsylvania, and in the county of Somerset, in Maryland, they have fallen into the manufacture of woollen cloth and linen cloth, for the use of their own families, only. Flax and hemp being easily raised; the inhabitants manufactured them into coarse sorts of cloth, bags, traces, and halters for their horses, *which they found did more service than those they had from any part of Europe.*"

"However the high *price of labor*, in general, in America, rendered it impracticable for people there to manufacture their linen cloth at less than twenty per cent. more than the rate in England, or woollen cloth at less than fifty per cent. dearer than that which is exported from home for sale. *It were to be wished that some expedient might be fallen upon to direct their thoughts from such undertakings, so much the rather, because these manufactures in process of time may be carried on in a greater degree, unless an early stop be put to their progress by employing them in naval stores!!* Wherefore, we take leave to renew our repeated proposals, that reasonable encouragement be given to the same. Moreover we find that certain trades carried on and manufactures set up there, are detrimental to the trade, manufactures and navigation of Great Britain. For the state of these plantations varying almost every year, more or less, in their trade and manufactures, as well as in other particulars, we thought it necessary for his *majesty's service*, and for the discharge of our trust, from time to time, to send general queries to the several governors in America, that we might be the more exactly informed of the condition of the plantations, among which there were several that related to their trade and manufactures to which we received the following returns."

[Here follow statements from the governors of the different provinces of the manufacturing establishments at that day, which trifling as they now appear to us, did not escape the vigilant eye of the British guardians of "free trade."]

The commissioners then proceed. "From the foregoing state it is observable, that there are more trades carried on and manufactures set up in the provinces on the continent of America to the *northward of Virginia*, prejudicial to the trade and manufactures of Great Britain, *particularly in New England*, than in any other of the British colonies; which is not to be wondered at, for their soil, climate and produce, being pretty nearly the same with ours, they have no staple commodities of their own growth to exchange for our manufactures, which puts them under greater *necessity*, as well as under greater temptations, *for providing for themselves at home;* to which may be added, in the charter governments, *the little dependence they have upon the mother country, and, consequently the less restraint they are under in any matters detrimental to her interests.* And, therefore, we humbly beg leave to repeat and submit to the wisdom of this honorable house, the substance of what we formerly proposed in our report on the silk, linen and woollen manufactures herein before recited, namely, whether it might not be expedient to give these colonies, *proper encouragements* for turning their industry to *such manufactures* and products as might be of

* The British schooner *Free Trader*, has lately been seized by the collector of the port of Buffalo, for a violation of the revenue laws.

service to *Great Britain*, and more particularly to the production of all kinds of *naval stores*."

Sir Josiah Child, in his discourse on trade, (an advocate of *free trade*, I dare say), says, "that New England is the most *prejudicial plantation to this kingdom*." In proof of which he says—"I am now to write of a people, whose frugality, industry, temperance, and the happiness of whose laws and institutions promise to them long life with a wonderful increase of people, riches, and power; and although no men ought to envy that virtue and wisdom in others which themselves can or will not practise, but rather to commend and admire it; yet I think it is the duty of every good man primarily to respect the welfare of his native country; and, therefore, though I may offend some whom I would not willingly displease, I cannot omit, in the progress of this discoure, to take notice of some particulars, wherein Old England suffers diminution by the growth of these colonies settled in New England, and how *that* plantation *differs from those more southerly* with respect to the gain or loss of this kingdom."

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From the Boston Patriot.

The following extract of a letter, published in April 1766, in the Independent Chronicle, shews, that the hostility of Great Britain to the *manufacturing industry* of this country bears an early date. We are now fighting again the battles of our own industry which were fought in the revolution, and the interest which Britain feels in paralizing the productive industry of the country was not greater then, than it now is:

Extract of a letter from London, dated March 28, 1766.

"The parliament are much concerned for fear the Americans should set up *manufactures of their own*, which they are told will certainly be the case, unless they give us a free and extensive trade, which they seem much inclined to do; and I make not the least doubt the Americans will be on a much better footing than they have ever yet been, and thought of *more consequence*.—There are vast quantities of goods putting up for America, and Quebec in particular, no less than 16 ships up for that place, and 2 or 3 already sailed."

[To glut the market, and break up our then weak and infant establishments.]

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And how were these things met, at that day, when the sun of liberty was rising over this land? We shall see. In a letter to congress, probably written by Dr. *Franklin*, dated at Paris, May 26, 1777, and signed by him and W. Deane, when things were at the worst, they say, "Every day's experience confirms to us, what is pointed out indeed by nature itself, *the necessity of rendering America independent*, in every sense of the word. The present glorious though trying contest, will do more to render this independence fixed and certain, if circumstances are seasonably improved, than would otherwise have been effected in an age. *The manufactory of any one necessary article among ourselves, is like breaking one link of the chains which have heretofore bound the two worlds together*, and which our artful enemies had, under the mask of friendship, been long winding round, and round us, and binding fast."

From the Boston Chronicle of April 7, 1766.

Providence, March 12, 1766.—"On the 4th instant, *eighteen daughters of liberty*, young ladies of good reputation, assembled at the house of doctor *Ephraim Bowen*, in this town, in consequence of an invitation of that gentleman, who hath discovered a laudable zeal for introducing HOME MANUFACTURES. There they exhibited a fine example of industry, by spinning from sunrise until dark, and displayed a spirit for saving their sinking country, rarely to be found among persons of more age and experience. The doctor provided an elegantly plain dinner, and other refreshments for the fair company; but they expended but very little time in dining, and cheerfully agreed to omit *tea*, to render their conduct consistent.—Besides this instance of their patriotism, before they separated, they unanimously resolved that the stamp act was *unconstitutional*, that they would purchase no more BRITISH MANUFACTURES, unless it be repealed, that they would not even admit the *addresses of any gentlemen*, should they have opportunity, without they determined to oppose its execution to the last EXTREMITY, if *occasion required*. We hear another meeting of these *daughters of liberty*, with many more, is intended to be held at the court house some time in *April* next, there to spin a handsome piece of linen, as a premium to be given the person who shall raise the greatest quantity of good flax in the county of *Providence* in the year 1766."

Further—from the Boston Chronicle of April 8, 1785.

Early yesterday morning the following hand-bill was found posted up in different parts of the town. [And had its effect, as will be seen below.]

FRIENDS AND FELLOW-TOWNSMEN.

In the day of approaching calamity, in the hour of impending danger, when destruction and poverty threaten the body politic: It becomes every lover of his country to be vigilant; every friend of the community to be awake: But the *Genius* of *Boston* appears to sleep on his post; the GUARDIAN ANGELS of the commonwealth have fled from earth.

Indulge me for a moment to assume their places: *This hour*, I have liberty to address you; the next, shall contemplate your ruin with pity; arouse then, ye patriots of Massachusetts, awake the band of honest mechanics, hear my reasoning with patience, examine its force with candor, and firmly *deliberate*,—RESOLVE TO LIVE.

Does not every part of this metropolis severely feel the amazing importation of *British manufactures*, to the prejudice of home-made commodities? Are not all the different classes of mechanics materially injured by the residence of ENGLISH FACTORS, who import and vend *cheaper than* OUR *citizens can afford to sell*, all the conveniences and luxuries of life. *Hats, shoes, ready-made clothes*, and all other articles, are daily brought in *(via Halifax)* and the sinews of your political existence cut off, to make returns in Great Britain. A circulating medium is not at present to be found; the rapid sale of their accursed commodities present the whole of your cash a *peace offering* at the foot-stool of *George the third:* the hatter, the shoe maker, blacksmith, wheelwright, pewterer, taylor, and all other handicraft, are now marching in *solemn procession*, and begging charity at the hands of *refugee factors*. Think not the idea overcharged: Would to heaven I held the trumpet of an arch-angel, and could rouse you from the slumbers of political death! But remember, I *have warned* you.

Assemble then, unitedly assemble, place those patriots in the chair, who framed the non-importation, and let all the people refuse to purchase of these *hirelings*, or barter the blood, the treasures of a DIGNIFIED REPUBLIC, for the gewgaws of luxury, or even the necessaries of life.

Above all, be cautious, be guarded! I hate the bustle of mobs, but I venerate the glorious spirit of freemen, displayed in meetings, to which authority gives a legal sanction: Call on the fathers of the town; they will grant the reasonable request: *Study to discourage British traders, as their parliament have discouraged your commerce*,—bid them depart in peace, their persons sacred, their property inviolate, but let them not remain, to undermine the basis of our empire, by silently sucking the blood of each individual.

Ten thousand suits of clothes have this day arrived from Halifax, ten thousand more are hourly expected. Your trade is dead, your mechanics are beggars, then *rouse* in the moment; *awake* or be forever lost.

THE SPIRIT OF 1775!

April 6, 1785.

Boston, April 28, 1785.—On Thursday last, in consequence of notice given in the papers, requesting a meeting of the artisans and tradesmen of this town, to take into consideration what measures are necessary to be taken, respecting the intrusion into this metropolis, of certain *British factors*, &c. and the present unequal system of commerce tending not only to the ruin of this country, but to the immediate impoverishment of the *mechanics*, by the *importation*, in vast quantities, of articles formerly *manufactured* here,—a large and respectable number assembled at the Green Dragon tavern, when, after choosing a moderator, they amply discussed the object of the meeting, and appointed a committee to draft a plan, to be adopted at the next meeting, which, by adjournment, was held on Monday last, when the following report of their committee was read and accepted.

We, the *tradesmen* and *manufacturers* of the town of Boston, impressed with the danger which threatens the several branches of our occupations by the large importations from Europe, of certain articles commonly manufactured in this country: which practice, if pursued, either by our *own merchants*, or *foreign agents*, we conceive must eventually ruin those branches, which for a long time have been established among us:

Voted, That a committee be appointed by this body, to draft a petition to the next general court, setting forth the difficulties, the manufacturers of this town labor under, by the importation of certain articles, (to be enumerated in the petition), and praying a PROHIBITION, or that such *duties be laid*, as will effectually promote the *manufacture* of the same.

Voted, That we will support and countenance all persons who shall inform of any breach in such acts of government, which may be made, laying a duty or prohibition, on any articles imported from Europe or elsewhere.

Sensible how necessary it is for our common safety, to establish among all classes a lasting *union*, both in sentiment and conduct, to frustrate the evil tendency of such importations:

Therefore, *Voted*, That we will withhold all commercial connection with those merchants, agents and factors, who have arrived, or may hereafter arrive from England, with intentions to carry on a mercantile business, to the injury of our own merchants and manufacturers, until the determinations of the legislature of this commonwealth respecting such persons are ascertained.

As the merchants and traders have agreed "to encourage all in their power the manufactures of this country,"

Voted, That this body entertain the highest opinion of their sincere intentions to join with us in ALL measures necessary to attain this desirable end; and that they will, consistent therewith, withhold all *further importations* of any artjeles as are usually manufactured among ourselves.

Voted, That should we obtain the desired redress, we will endeavor to keep the several articles of our manufacture within moderate prices.

Voted, That we do bear our public testimony against sending away our circulating cash for foreign remittances; as this practice, we conceive, is calculated to *impoverish the country, to distress individuals in the prosecution of their business, and in the payment of their taxes.*

Voted, That a committee be appointed to write to the committee of merchants and traders of this town, enclosing them a copy of these votes, and desiring a mutual correspondence on the subject.

A committee for the above purpose was then chosen, consisting of the following gentlemen, viz: John Gray, esq. capt. Sarson Belcher, Mr. John Skinner, Mr. Benjamin Austin, jun. and Mr. S. G. Jarvis.

Voted, That each branch of business, (tradesmen and manufacturers), choose one out of each branch, to represent them, and to form a standing committee; and that this committee give notice of the time and place of such meeting.

Voted, That the committee now chosen to write to the merchants, &c. continue as the committee of this body of tradesmen, until the meeting of the other, constituted as by the last vote.

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So strong was the excitement at this period against these refugees and tories who were active in throwing British manufactures into the market, (says a late Boston paper), that the mechanics compelled one of the houses engaged in this business, actually to "shut up shop," and the partners were obliged to abscond, from the fear of being "tarred and feathered, and carted out of town." During the revolution, this remedy was considered by our ancestors infallible for all cases of suspected patriotism; because, we suppose, as the "sons of liberty" were resolved to *stick* to their principles, they thought it no more than fair that those who refused to *stick* to them, should receive an application, that would be likely to *stick* to themselves, at least till the fire of patriotism had been kindled, so as to warm and melt their *hearts*, as well as their *coats*.

Nor were the mechanics alone in their movements on this important subject; they had the sympathy and co-operation of the merchants, who, at the same time, held a meeting, and, among other resolves, adopted the following:

Voted, That we will encourage, *all in our power*, the MANUFACTURES and produce of this country, and will, in all cases, endeavor to promote them.

They also replied to the committee of mechanics, in an interesting letter, fully recognizing the expediency and indispensable necessity of a PROTECTING TARIFF. JOHN HANCOCK signed this letter, "in the name and in behalf of the committee of merchants, tradesmen and others." He used this remarkable language:

"We shall cheerfully use what little influence we may have, in promoting and encouraging the manufacturers of our own country, and for obtaining, at the next general court, *such restrictions and excises* as may have so happy a tendency.

"We derive great support from that unanimity which appears to actuate our respective proceedings, and, while that subsists, we can no more despair of the commerce, trade and manufactures, than of the liberties of America."

CIRCULAR.

Boston, Aug. 20, 1788.

Gentlemen:—We, being appointed by the association of tradesmen and manufacturers of the town of Boston, to write to our brethren throughout the several states, do now address you on the very important and interesting subject of our own manufactures.

The late system of commerce, pursued since the peace, of importing such articles as can be manufactured among ourselves, tends to discourage the whole body of tradesmen and manufacturers of these states, who depend, for the support of themselves and families, on their various occupations; and this practice, unless speedily checked, by the prudent exertions of those who are more particularly interested, must eventually prove ruinous to every mechanical branch in America.

Impressed with these sentiments, and finding the evil daily increasing, the tradesmen and manufacturers of the town of Boston, awakened by a sense of the danger which threatened them, assembled to deliberate on measures to relieve themselves from the destructive tendency of such importations.

An association was accordingly formed, consisting of a representative from each branch; and, in this body, the whole manufacturing interest of this town becomes an object of general attention.

The first measure adopted by this association, was to pass resolves respecting the importation of certain articles from Europe by our own merchants, and numbers of British agents residing among us; but knowing that nothing could be effected to any radical purpose, unless we had the authority of the laws, we petitioned the legislature of this state, praying that duties might be laid on the several articles enumerated in our petition. In consequence of which application, our legislature complied, in a great measure, with our request, by enacting laws for the encouragement of industry and for the promoting of our own manufactures.

However, as we are sensible that our present situation requires an extensive co-operation to complete the purposes we wish, we take this method to bring forward a confederated exertion, and doubt not, from an union of sentiment, benefits may arise. We therefore apply to you, gentlemen, to lend us your assistance, and, like a band of brothers, whose interests are connected, we beg you to join in such measures, to advance the general good, as your prudence shall suggest, and your wisdom dictate.

We would, with submission, recommend an association of your tradesmen and manufacturers, formed upon the most extensive basis, and supported upon the most liberal principles; we may then hope the manufactures of this country will flourish, when each man becomes interested, not only in his own branch, but in those of his brethren: encouraged by such extensive patronage, each individual will be animated to pursue his business with alacrity, knowing that he acts in concert with those on whose friendship he can with confidence rely.

An association being established in your state, we shall be very happy to correspond with it; and we flatter ourselves, from this social intercourse, a general har-

mony will prevail throughout the whole manufacturing interest of this country.

As we hope to experience the good effects of the late acts of our general court, we should recommend a petition for a similar purpose to your legislature; and from the known disposition of your state to promote the welfare of America, we doubt not some plan will be devised by your general assembly to prevent the importation of such species of articles as are commonly manufactured in America.

We need not urge the necessity of some measures being immediately taken by the whole confederacy. The embarrassment of our navigation—the large debts contracted in Britain—and the remittances of our currency—all serve to put every real friend to his country upon serious attention; and, if any mode can be adopted to remedy these evils, we are convinced no American will be backward in the cause, but will join heart and hand to promote the desirable purposes.

The means we propose, we conceive, are calculated to put each state upon deliberating on a subject highly important to the manufacturing interest; and we cannot but hope that some lasting benefits will accrue from the united voice of the tradesmen and manufacturers of America.

These states are so extensive in their boundaries, so various in their climate, and so connected in their national interest, that if a plan could be adopted, throughout the confederation, for the exchange of the produce and manufactures of each state, we conceive it would serve to cement a general union, and prove a means to promote the interest of the whole.

The northern states might furnish many articles of manufactures which are now imported from Europe; and in return might receive those supplies peculiar to the growth and climate of the southern.

An association formed throughout the states upon so liberal a plan, would establish many extensive branches of manufactures: and, if prosecuted with spirit, would put this country above the humiliating state of lavishing her stores of wealth to promote the manufactures of Europe.

We wish you to communicate this letter to such towns of your state as you shall think proper.

We are, gentlemen, with every sentiment of respect, your most obedient servants,

JOHN GRAY,
GIBBENS SHARP,
BENJAMIN AUSTIN, jr.
SARSON BELCHER,
WILLIAM HAWES,
JOSHUA WITHERLE.

☞ We have many more like articles, but cannot give room to them at present.

CIRCULAR TO THE COLLECTORS OF CUSTOMS.

Treasury department, Oct. 12, 1830.

SIR: Information having been requested as to the nature and extent of the discretion of the collector, in seizing and prosecuting goods for a violation of the revenue laws, I would observe that the act of 28th May, 1830, may be considered as superseding the provisions of all previous acts which are inconsistent with it. You will, therefore, look into that act for your guide in all the cases to which it refers. The words are, "if the [packages] be found not to correspond with the invoice, or to be falsely charged in such invoice, the collector shall order forthwith all the goods contained in the same entry to be inspected;" "and if any packages shall be found to contain any article not described in the invoice; or if such package or invoice be made up with intent, by false valuation or extension, or otherwise, to evade or defraud the revenue, the same shall be forfeited."

The true construction of this clause, I apprehend, leaves no discretion with the collector where the package contains any article not described in the invoice.—In that case, the goods must be seized. If no fraud was intended, a remedy is provided in the remitting power conferred on the secretary of the treasury by the act of 3d of March, 1797, and the 7th section of the act of 28th of May, 1830. But, in the cases specified in the latter part of the clause, viz: "the intent by false valuation or extension, or otherwise, to evade or defraud the revenue," a responsible discretion is necessarily to be exercised by the officer directing the seizure. If, from a view of all the facts and circumstances which may come to his knowledge, there shall appear to him reasonable cause to believe that any package or invoice had been made up with intent, by false valuation or extension, or otherwise, to evade or defraud the revenue, it is his duty to make the seizure.

I take occasion to add, that the decision of the appraisers, that goods have been charged too low, is not of itself conclusive evidence of fraudulent intent. The act of 1828 directs the appraisers to ascertain the "true value," which, it is believed, was not intended to be synonymous with "actual cost"—the words used in former acts to indicate the dutiable value of goods. This idea is corroborated by the 3d section of the act of 1830, where it is provided, that, before the importer can appeal from the appraisement made under that act, he must make oath "that the appraisement is higher than the actual cost and proper charges on which duty is to be charged, and that he verily believes it is higher than the 'current value' of the said goods, including said charges at the place of exportation."—This clause may be considered as a legislative construction of the powers conferred on the appraisers to estimate the goods above their actual cost; but it is not to be presumed that there is an intent, by false valuation, to defraud the revenue, when the goods are invoiced at the actual cost. These cases will, therefore, be addressed to the sound discretion of the collector, in the exercise of which, the amount of difference between the invoice and appraisement will be circumstances to be duly considered.

With respect to that part of the inquiry which relates to the power of the collector to forbear prosecutions already commenced, although an unlimited discretion of this nature could not be properly conceded, yet I apprehend that no principle of policy would be violated, nor any public injury incurred, by forbearing to prosecute the libels in those cases in which the judgement of the collector may be subsequently satisfied that there was no legal ground for the seizure at the time it was made.

I am, respectfully, your obedient servant,

S. D. INGHAM, *secretary of the treasury.*

GENERAL CHEROKEE COUNCIL.

From the Cherokee Phœnix, Oct. 16.

Monday, 11*th.* This day the two houses of the general council of the Cherokee nation were organized. Mr. J. Ridge was elected president of the national committee, and Mr. William Rogers, clerk. Going-Snake was elected speaker of the council, and A. McCoy, clerk. On Tuesday the two houses met in joint committee, to whom was read and interpreted the following

MESSAGE:

To the committee and council,
in general council convened.

Friends and fellow citizens:—We are permitted once more to witness the dawn of that day, which by the provision of the constitution, is designated for the annual convention of the general council. For this inestimable privilege, our thanks are due to *Him* who holds the destiny of man and governs the universe. In the tempestuous scenes of revolving time, we have had our day of trial and affliction; yet, through *His* merciful interposition, we have experienced seasons of joyful hope—and should trouble and difficulties still rise up as vivid clouds o'er our aching breasts, and threatening destruction chime its doleful note in our ears, hope and faith in *Him* can remove them.

In pursuance of duty, I will suggest for your consideration, such topics as in my opinion the public good seem to require, and holding your seats, as you do, by the free choice of the majority of the people, it devolves upon you to adopt such measures as will promote the public welfare.

To meet the exigency of the times, a law was passed at the late extra session, authorizing the principal chief to take measures for defending the rights of this nation before all courts of law and equity in the United States, against the acts of any individual state attempting to exercise jurisdiction within our limits, to the end that the question, touching the right of sovereignty, may be ta-

ken up before the supreme court of the United States, for adjudication. In the decision of this important question, this nation has every thing that is sacred at stake, and Georgia nothing. Yet the constituted authorities of the later feign to be very sensitive on all occasions, when the subject is only touched—at the same time by their own laws, the lives, liberty, and property of the Cherokees are left exposed to the mercy of the assassin, the tyrant, and the robber, provided the foul deed can but escape the eye of an honest whiteman, and the most common privilege of freemen is denied to them.

Mr. Wm. Rogers has been appointed as agent in behalf of the nation to attend to all cases that may occur in the courts of Dekalb, Gwinnett, Hall and Habersham counties, and the professional services of Thomas W. Harris and Wm. H. Underwood, esquires, have been engaged. The character and talents of these gentlemen stand high—they will attend to all cases that have or may occur in the five contiguous counties of Georgia, that claim the right of exercising jurisdiction within our limits.

The arrest of one of our citizens at New Echota, by the deputy sheriff of Gwinnett county, under a writ of *ne exeat*, issued by judge Clayton, and his imprisonment in the jail of that county, is a stamp of grinding oppression; and when he was brought before the court for trial, the same judge who had granted the writ discharged him, on the ground that the affidavit made by the prosecutor was insufficient to have warranted the issuing of such a writ—also the arrest of three other citizens of this nation by the sheriff of Hall county, under a writ of attachment, issued by judge Clayton against them, for disobeying a bill of injunction which he had previously granted against them for digging gold within our territorial limits; and, after conducting them into Georgia before the court then in session at Watkinsville, judge Clayton ordered them to stand committed until all costs were discharged, thereby compelling them to pay a heavy cost, to avoid going to jail, and at the same time binding them in a large bond to appear before the court at Gainsville to stand their trial; and when appearing before that court, they were dismissed by the judge without a trial, on the ground that the governor could not be a prosecutor in such a case. This is another instance of great injustice and oppression.

The case of judge Sanders for punishing a white man under the laws of the nation, for the crime of horse stealing; and that of Corn Tassel, who is charged with committing murder upon another Cherokee within the limits of the nation, have been postponed by the judge for the purpose of referring the pleas to the jurisdiction of the court, to a convention of judges at Milledgeville, on the first week in November next, although he had himself once decided against them. Thus you will see the manner in which the rights of our citizens have been tantalized by the officers of Georgia, under their laws. There is another circumstance worthy of being noticed. The deputy sheriff of Gwinnett county, on a case of debt, penetrated into the nation and arrested a respectable Cherokee woman, and took her off captive from the *arms of her husband and the cries of her children*, for the jail of a distant land of about one hundred miles; but after travelling fifteen miles, she was released by giving bail. There are many other acts of equally grievous character perpetrated against our citizens under the laws of Georgia, and these are but a specimen of the effects of the exercise of jurisdiction over the Cherokees by Georgia; in which grievous evils the president of the United States has told us he cannot interpose his authority in our behalf.

The privilege directed under the sanction of the president to the agent, for the citizens of the United States to occupy the improvements which have been left by the emigrants, seem to have been extended by the agent without limitation, or without a just regard for the character of such occupants, and the instructions of the secretary of war, directing him to grant permits subject to their conduct, until the order has been either countermanded or dispensed with, at the discretion of the agent. A list of places, which are said to have been abandoned by the emigrants, was furnished to the officer commanding the detachment of troops ordered on the Alabama and Tennessee lines to remove intruders, accompanied with a note made by the agent, saying that there were, no doubt, many white families on these places who had not applied for nor obtained permits, and that such were not to be interrupted. This strange procedure has placed upon our soil some of the most vicious and base characters that the adjoining states can produce, who are very active in annoying our citizens by stealing from them horses and other property: to enable them to perform their nefarious purposes with more effect, they have sought to form a link, with such of our bad citizens as they can associate into their club. This state of things is truly grievous and much to be lamented—but if the authorities of the general government will not order the necessary antidote, how can the evil be effectually remedied without resorting to such measures as would bring down upon us the censure and disapprobation of the officers of the general government? Acts of the most innocent character, however necessary and expedient, when performed under the authorities of this nation, in these days, are too apt to be misrepresented and magnified into an offence.

The confused situation of the gold mines, the line which the president, under the report of gen. Coffee, has assumed to establish, and the lands reserved, under the treaty of 1819, for a school fund, which was to have been disposed of by the president and applied under his discretion for the benefit of this nation, require your deliberation. Other subjects of importance will be submitted for your consideration in a subsequent communication.

JOHN ROSS.

October 11th, 1830.

To the committee and council in general council convened.

I submit herewith a letter from the United States' agent in this nation, enclosing a document, purporting to be a copy of a letter addressed to the Creek agent from the secretary of war, and enclosed by him in a letter to col. Ward, for the information of the Indians under his agency, and which col. Montgomery believes was intended to be communicated to the Cherokees also, as he conceives them to be embraced in the "opinions and arguments" it contains.

JOHN ROSS.

Cherokee Agency, 1st Sept. 1830.

SIR: I have some days since received a letter from the secretary of war, of which the enclosed is a copy. I for some time hesitated whether to send it to you or not, inasmuch as it is in the first place addressed to col. Ward, and only directed to me on the envelope. But as he says "it contains the sentiments of the president concerning the removal of the Indians, and further negotiation with them on that subject, and the course which in future is intended to be pursued, and that the opinions and arguments contained in it, are applicable to every tribe, which shall decline the liberal terms proposed to congress"—I have finally concluded the Cherokees are embraced in it, as well as others, that notwithstanding the mistake in the direction, it would be wrong in me to withhold from them the information, opinions, and arguments which it contains. It is, therefore, enclosed, and the serious reflection of the Cherokees is requested upon the subject to which it relates. Very respectfully, your obedient servant,

H. MONTGOMERY.

John Ross, principal chief, Cherokee nation.

[COPY.]

Franklin, 2d Aug. 1830.

SIR: The following letter was lately addressed to the agent of the Creek nation; it contains the sentiments of the president concerning the removal of the Indians, and further negociations with them on that subject, and the course which in future is intended to be pursued, the opinions and arguments contained in it being applicable to every tribe which shall decline the liberal terms proposed by congress. It is forwarded, that you may make them known to those who reside within your agency.

Respectfully, J. H. EATON.

Col. Ward.

Franklin, Tenn. 29th July, 1830.

DEAR SIR: On the subject of removal it is matter of regret to find, that, with all the fair and reasonable argu-

ments which have been urged, the Indians still manifest an indisposition to make exchanges of their land, and remove beyond the Mississippi. On the score of feeling and prejudice, some consideration may arise, as to leaving their homes, and retiring to a new country; but as it regards ultimate benefit and advantage to be derived, but little room can be left for doubt to rest upon. The Indians would really perceive the force of the arguments which so repeatedly have been urged, were it not for busy advisers who, without believing what they say, imagine and assert a systematic course of injustice to be intended towards them; availing themselves of this, the chiefs omit not to practise great coyness and seek to repress every expression of opinion by the common Indians, in the hope that their own interests and fortunes may the better be advanced. From information variously obtained, there is little room to doubt, but that the greater part of the nation are in favor of a removal, could they be at liberty to give utterance to their sentiments. This privilege is denied; and such is the deep hostility affected to be felt, that punishments in some instances has been threatened, and in others inflicted, for no other cause than a free excreise of opinion upon this subject. This we have heard, and we believe it.

Under such a state of things, and since the chiefs will not listen to the suggestions which so repeatedly have been made to them, it would not be injustice if the government were to determine and say to them,—we intend to make no further effort in your behalf, but leave you to live under the laws of the states, and if you cannot do so, then remove to your lands west of the river at your own expense. And this most probably will be the final result of matters. On the score of rigid justice, what claims can these people have to our magnanimity? A country larger in extent, of equally good climate and better soil, has already years since been given them beyond the Mississippi. If justice only were consulted, her language would be this: You shall not be forced from the lands you occupy; but being within a state, like every other citizen, you must conform to her regulations and laws; and if you cannot, move where you please, but as other people are compelled to do, pay your own travelling expenses, and your own subsistence. Congress, at the last session, attempted a fair experiment to ascertain the willingness of these people to remove to a country where, free from interruption from the laws of the states, they might be happy. If the Indians fail to accept the offer made them, congress may probably attempt no further extension of their benevolence, but leave them where they are, under the operation of the laws of the state, or, if this condition of things shall not be found agreeable, to remove and defray their own expenses as our own citizens do. It is high time that some definitive grounds were assumed. The more you talk and persuade them to their interest, the more refractory they become; with a view to opposition, or in the hope of reaching a more advantageous bargain. So repeatedly have they been addressed and spoken to on this subject, that they are of the belief that the vital interest of this country is involved in the decision which they shall pronounce. They should be undeceived, and in no way so effectually is it to be done, as for the government to withdraw from them every aid and assistance, of whatever kind it may be, except what is actually guarantied by existing treaties. Let them stay, if they please, subject to the laws of the state; or remove, if they please, supplying their own wants, their guns, kettles, articles of husbandry and subsistence. For any person acquainted with their character, to maintain the feasibility of Indians living under the laws of the states, is idle in the extreme. It might as well be supposed that science and ignorance, and liberty and slavery, could dwell together. Every man in the country knows it cannot be—the Indian himself knows it.

What then is to be done? Congress has given the answer—Treat with them—send them beyond the Mississippi. To those who would follow agriculture and industry, the country given affords abundant resources, while, for the untamed Indian, who will not forsake the forest and the chase, game, in inexhaustible quantities, can be found. But besides these advantages, which place them in an improved and benefitted condition, a further liberality is offered in the authority extended, to pay from the government treasury the expenses of their removal, and to provide for their support for one year afterwards; nor is this all! The land is to belong to them in fee, thereby affording an earnest that they are to be again interrupted in their possessions, no more forever. And is this injustice—barbarity, as it has been styled, such as is calculated to call down the avenging hand of an offended Providence? Strike out from the act the word "Indians," and let it read that "the poor people of the states who *choose* to remove, shall have equal or better lands than they occupy provided for them—that they shall be removed at the public expense, and provided with provisions until they can raise their crops,"—would there be any thing in this to demand the avenging interference of Providence? and yet, this is truly the picture as it should be drawn.

In future interviews with these people, your suggestions may be based upon the reasons which are here presented, that if through reflections not forget his nature, but at maturity they be not already informed, they may repose no longer in ignorance as to their true condition, and be resolved and prepared to meet it as they should. It is impossible they should be in doubt as to the course to be pursued. Enough has been said to instruct the most uninformed with the grounds of this contest, and lead them to a proper conclusion. To go, or to remain, is the question, and the only question to be decided; and whichever of the two shall be concluded upon, cannot require more argument, than has already been advanced. If what has been urged be insufficient, more need not be advanced. But under all the circumstances they should be left to their own time to arrive at that conclusion, which reflection may dictate to be right. I am fully satisfied, that the more these people are importuned and reasoned with, the stronger may be their inclination to oppose, or else to manifest indifference. Now that grounds for a removal have been presented in detail, to state fully the course intended to be pursued in future, and thus to leave both them and the argument, will, no doubt, sooner than any thing else, bring these people to a knowledge of their true condition, and prompt them to solicit terms; and not, as has been the case so repeatedly, spurn the liberal offers that from time to time have been made.

While an earnest desire was had to bring this matter to a close, and the better to effect it, that they should meet the president at this place. Nevertheless, if prefered to hold a treaty in the nation, such is the reasonable desire for their interest entertained, that the course would no doubt be accorded to them. But before any arrangement shall take place, or any council be agreed upon, it must be distinctly understood, that their minds be fully made up and prepared, to assent to a removal beyond the Mississippi; until this shall be definitively settled, it will be unnecessary to send commissioners, to interrupt them with any propositions. If a meeting shall not take place before the next congress, I feel confident the president will offer no more propositions, but leave them to take their own course, in their own way, and as may best suit their own convenience. When this shall be the course taken, they will not fail, through the exercise of their judgement, to perceive truly their condition and be desirous at once to decide what is proper to be done. The question in its simple, and naked form, is, what is advisable to be done, and in what does their interest consist? This is the important matter of inquiry to be examined and settled.—The one side of the question, when thus produced, will be this, and this must be their reasoning on it. Our ancient customs must be surrendered, for the laws of Alabama will not sanction their continuance. Immediate execution without trial, for no other offence than the accidental killing of an Indian, will not be tolerated. The imposing of corporeal punishment, at the mandate of some chief, for the expression of an opinion disagreeable to him, will cease. The rights of property will be respected, and for the protection thus afforded by the community in which they live, some contribution in the way of taxes will of course be required. In all this there is no injustice, no hardship; it is what the well being of society sanctions, rather than a permission for a mere self government, independently to

exist, within the limits of a state. If the Indians shall be indisposed to this course, of liberal, free submission, the alternative before them will be that which the law of congress authorises and permits. They may sell a country, which, by established usage, they can hold only under a right of occupancy, and receive in fee simple another, which in all respects is superior to their present one, and which will descend to their posterity for all time, while they shall exist as a nation. From the burthen of removal, they are to be relieved,—the government now promising to encounter the whole; to place them in their new homes free of all expense, and for a year, until their crops can be raised to supply them with the means of living. This is the contrast which the "Indian bill," as it is termed, presents; and yet there are persons to be found ready to assert that there is injustice and barbarity of treatment in the measure. Can it yet be, that our red brothers have yet been brought truly to understand it? or is it through some practised deception; some motive stirring movement, that they do not? On their side are evidently all the advantages; not merely in the removal, and the means in effecting it, but in the liberal terms, which they have been assured would be granted them, in the arrangement of a treaty.

The opposition which is met with, proceeds from the chiefs and leading men: for the whole system of government is pre-eminently an aristocracy, of high-toned character. The common Indian, without place, or the expectation of it, would prefer a residence more distant from the whites; but of this they dare not speak; a fell species of intolerant law restrains the exercise of opinion upon this subject. And is a government, such as this, where determination follows the mere expression of opinion, to be cherished within the limits of a state, and the sympathies of the people appealed to in support of it? The constitution of the United States declares, that each state shall be secured in the maintenance of a republican form of government: but Georgia and Alabama and Mississippi are not thus maintained, if within their jurisdictional limits they are to suffer the existence of a distinct, independent government, where actions and opinions are to be forcibly restrained, and without even the form of trial prescribed. If, as by many is maintained, they can be considered independent sovereignties, it must be of unrestrained and unlimited character throughout their local limits. And if this be so, then any citizen of the United States, entering their limits, will be liable to all the brutalities of their criminal code, and may be subjected to punishment—who fires a gun, which by accident kills an Indian, not seen at the time, may be put to death. The people of this country are surely not prepared to admit such strange governmental practices: and yet, these will be the effect and consequence of that argument which reproves the course adopted by the president, and which concedes the right of sovereignty and self-government to an Indian tribe within the confines of a state. In Ohio and Kentucky dwell a religious sect of people who claim no political connexion with the community in which they live: shall they not assert, alike with our Indians, the privilege of self-government, apart from any interference of the states where they reside? May not the tribe of Red Jacket, (the Senecas), equally claim protection against the legislative enactments of New York, and demand to be left to themselves, as to their forms and manner of government. Recently I visited these people: they lived within four miles of the flourishing town of Buffalo, on lake Erie, amidst an intelligent and polished people; and they are Indians still; they spoke not our language—would not. Some 40 or 50 in an humble clapboard tenement, (their council house), were discussing the affairs of the tribe; a badly clad and *autre* set, with loungers and listeners around, while at a distance, women were seen, exposed to the heat of the day, cultivating the corn. Whenever civilization dawns, the rights of women are respected; and where they are not, refinement has not come. The lordly dignity of man, which prompts him to the chase and to the battle, as the only pursuit worthy of his nature, leaving the women to be hewers and drawers, is peculiar to savage life; and where this is to be found to exist, civilization is but in progress. These people have gone amidst a white population—have long had a missionary school—a church—and preachers amongst them: yet they are not civilized; they are Indians still. What hope then, can be entertained for our southern tribes, who are strangers to these associations and these advantages, which the Senecas have so long enjoyed, without any thing of benefit to themselves, or even the promise of it? They, with a detachment of their tribe, which years ago went to Ohio, becoming dissatisfied with their contiguity to the whites, are manifesting solicitude to leave their present, and find a new home.

It is at least but a Utopian thought to think of civilizing Indians. Nature must first be changed. One or two generations at least must pass away under a rigid culture, before these people can be much benefited by science and education. The wild turkey, tho' you shall take the egg and hatch it in your barn yard, will seek the tallest forest tree, at night fall, for his roosting place. Of this there are abundant evidences. And what does it prove, but that the "Leopard cannot change his spots, nor the Ethiopian his skin." An Almighty hand has stamped upon every creature a particular genius, propensity and leading traits of character. The polish of education may improve, but cannot change, for the imperishable seal is there; bars and dungeons, penitentiaries and death itself, have been found insufficient, even in civilized society, to restrain man from crime, and constrain him to the necessity of moral and virtuous action. How then are we to look for, or expect it, in a community made up of savage and illiterate people? Theory and fancy may prate of such a result; but, before reality gives impress to it, years must roll by, and a new and improved order of things arise. Then, and not till then, may hope, in her visions, dream of success in reforming and improving the red man of the forest. Their improvement is certainly greatly to be desired, but for the present it must be given up into the hands of care and time. At any rate it should not be assayed at the expense of the constitution, which secures and promises to every state of the union a republican form of government within her defined limits.

The chief magistrate of the country is necessarily required to take care that no infraction of, or departure from, the principles of the constitution shall take place. As matter of duty, he is bound to attend to the interest of the state, and be careful that, with his consent, no act be done, which is not warranted by the authorities conceded to him. To expect, then, the protection of the Creeks and other tribes, within the states, at the sacrifice of the sovereignty of the state within which they are situated, would be idle indeed. Indian benefits ought not be urged at such a price.

It is important that our red brothers should know and understand these things, for until then they cannot truly appreciate their condition, or determine what rightly they should do as regards their own interest. To make a fair experiment upon this subject, and in a spirit surely of great good feeling, congress at the last session made liberal appropriations, to enable such Indians as should choose to do so, to remove. The whole matter is now brought before them, and their interest, as connected with their removal, has been fully and repeatedly presented. If, on a full view of all the circumstances, this offer shall be declined, the consequences must be, that no further appropriation will be asked for, and congress may make no more. The Indians must then make an effectual trial to live, if they can, under the laws of the states, subject to and bound by them: and if they cannot, then to make their way to their new homes beyond the Mississippi, as their means and their own resources shall enable them, leaving their lands behind to be compensated for or not, as the government, controlled only by benevolence and justice, may choose. The opportunity of making any treaty or agreement may soon pass by. The liberal efforts which are now made being rejected or refused, the Indians must not expect that their interest will any more be urged upon them as matter of concern: or that the government will advise them longer what to do. They must be left for the future to themselves, and to their own reflections, if now they shall obstinately refuse to act. Very respectfully,

JNO. H. EATON.

Col. Hugh Montgomery, Cherokee agency,
(via) East Tennessee.

NILES' WEEKLY REGISTER.

FOURTH SERIES. No. 13—VOL. III.] BALTIMORE, NOV. 20, 1830. [VOL. XXXIX. WHOLE No. 1001.

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT $5 PER ANNUM, PAYABLE IN ADVANCE.

☞ The "leading article," (as those published from manuscript are distinctively called) in the present sheet, is on the *cultivation of sugar*—in which the principle and policy of protecting duties, generally, and especially on that commodity, are considered—and, as I think, in some novel and strong points of view. And, it seems to me, that the broad ground of our opponents, as to the money-value of things, is completely taken from under them, by certain plain propositions, founded on practical operations, governed by common sense. We invite a strict examination of what is stated—for, if in error, we wish to know what is truth. See page 208.

We insert a very interesting account of the Liverpool and Manchester rail road, shewing the vastness of the work, its expense, &c. Who shall dare to calculate the result of this magnificent undertaking? Who limit the extent to which its benefits shall proceed? Man cannot comprehend space—but he can hardly any more apprehend the effects to be produced, in his own little world, by the progress of science, opposing both time and space, as to the concerns of its inhabitants.

As to this rail road we have the following paragraph from the *London Globe and Traveller*, of the 14th Oct.

"Mr. Stephenson, the proprietor of the Rocket engine, on the Manchester and Liverpool railway, had this week decided in his favor a wager of *one thousand guineas* upon the speed of his engine, by traversing the distance between the two towns, (*thirty-two miles*), in THIRTY-THREE MINUTES—[or, in other words, at more than 58 miles per hour.]"

No doubt—on a second experiment, Mr. Stephenson would make the journey of 32 *miles* in less than 32 *minutes*.

It will be seen from the following, that a new rail road is projected from Baltimore. There are strong and powerful inducements to attempt this work. The profits to be derived from the transportation of passengers only, would be very large, and the travelling promptly increased many fold, because of its ease and cheapness. In two hours, we might reach the capitol, even proceeding at a *moderate rate!* It is supposed that, at present, about 50,000 persons annually pass between Baltimore and Washington. A rail road would double that number in the first year, and treble it in the second, with yet a further increase, as population and wealth and business advanced, because of the facility of communications, &c. We expect to have more light on this interesting subject before long. At present, it is only just thought of.

Rail road to Washington. The citizens of Baltimore, we believe, are much disposed to comply with the suggestion made some time since in a Washington paper, "to construct a lateral rail road from the Baltimore and Ohio rail road to the city of Washington." The Baltimore and Ohio rail road company have full power, under their charter, to construct such a road as far as the line of the District of Columbia; and there is no doubt that congress would pass a law to extend their powers and privileges to any part of the District. The cost of such a rail road could not exceed 750,000 dollars—its benefit would be great to both cities, and indeed to the United States, and its profit to the stockholders ample. This is a subject worthy of attention, and we hope will not be neglected. [*Gaz.*

MR. MADISON—the enlightened, the good, and venerable "father of the constitution,"—because of his late *anti-nullificatory* letter, and on account of his *original* and frequently expressed opinion as to the right and duty, and power, of congress *to protect the industry of the people of the United States*, by excises, or tariffs, and even PROHIBITIONS, (which latter also Mr. *Jefferson* anticipated as being both "necessary and proper"), is in a fair way of being denounced a "federalist,"* by newly wool-dyed and yesterday-manufactured "republicans"—a good many of whom have recently been imported from *foreign* parts, to instruct us in the principles and provisions of the American constitution!† But they are as toothless vipers, attempting to bite a file—ejecting their own venom, to return into, and mortify, themselves, only;—ill-disposed enough, but not so notoriously wicked as to hope for the celebrity of Erostratus—known only because of his "*destructiveness*"—in conflagrating a temple dedicated to the chaste goddess! Mr. Madison always was a *federalist*, in the first and pure meaning of the word; and distinguished as a patriot, before most of the *great ones* of the present day were thought of, unless as mere atoms of organized being! We pin our faith on no man's sleeve—but when we see persons, who agree that things are "very like" *weasels* or *camels*, "according to circumstances"—who have met at the "knife's point," or hugged one another, as the dearest of the human family, in fond embraces—charging such a man with inconsistency, and casting what they think hard names at him—we know not whether most to despise their impertinence or laugh at their folly. Mr. Madison, from the beginning, recognized the principles of what is now called the "American System." These were clearly put down in his famous resolutions offered to the house of representatives on the 3d January, 1794. They took in the whole right and duty of the people of the United States, to protect their own industry, by extra taxes, or otherwise, levied at discretion, on foreign productions. Was there any "*federalism*" in these resolutions, using the phrase in its present *junto-meaning?* For these resolutions, *Englishmen* thought him nearly a "jacobin." But a lapse of nearly 37 years, has converted *jacobinism* into "*federalism!*" We repeat it—that Mr. Madison's resolutions

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*The following, from the "St. Louis Beacon," is a singular instance of the use of this term—

"*Delaware.*—This little federal state has gone in all its departments for the coalition. The papers say there is but *one* Jacksonian elected to any office in the state, and the coalitionists triumph in the result. This fact is good for two conclusions: *first*, that the coalitionists practice proscription to the extent of their power; *secondly*, that the old *federalists* are united with the coalitionists against Jackson."

Here the people are called proscriptive, because they voted for such members of the legislature, &c. as they preferred—so they of the United States were proscriptive, when they voted for president Jackson! But this proscription of Delaware comes with an ill grace from the "Beacon." Had the friends of the present minister to England succeeded in electing *their* candidate, the *republicanism* of Delaware would have been complimented—though the whole range of our country does not present a more decided "up-to-the-hub" *federalist* than Louis McLane, appointed by president Jackson to the first diplomatic station in his gift. *We* use not the word "federalist," as a term of reproach; but the "secondly"-part of the conclusion applies badly, in many cases—if meant as a reprehension of the "coalitionists against Jackson," and especially in Delaware and Maryland, and at the seat of the national government! Indeed, it is an assault upon the president himself, because of his celebrated letter, to Mr. Monroe.

†We shall record one of the articles to which we have some reference. The unity of action, in this matter, is truly surprising. Who could have anticipated, that *Tammany* men and *Yorkshire* men should support the same persons at the polls—that *buck-tails* and *drab-gaiters* should come into harmony? "*Hees oor mon*" said one adorned with the latter, when speaking in the bar-room of Brown's hotel, at Washington, of a certain Tammany member of congress.

of 1791, *covered the whole ground of the "American System."* He never has abandoned that ground—he never will. He cannot, without abandoning the primary object of the constitution—the public good, as settled by the judgment of a majority of the people interested.

"A QUANDARY." In noticing the result of the late election for a member of congress from Boston, I observed—"it is now settled, that Boston will support the tariff"—but the Boston Gazette declares that this "statement is wholly *gratuitous* and *unfounded.*"

Has any error in adding up the votes been discovered? We thought that question fully settled—*and more!* Had Mr. Lee, the unsuccessful candidate, been brought out and supported as a *political* partizan, or Mr. Appleton voted for as such, I should not have made the remark. It is true, that every member of one political party is reported to have voted for Mr. Lee, and that certain public *officers*, having much personal influence, were indecently busy to promote his election; but he was not put forth as a member of that party—and hence the inference was natural, that the friends of the "American system" at Boston, were able to beat, at one and the same time, both an *anti-tariff* and a *political* party. How is it?

IMPROVEMENT OF THE PRESS. The elections in New York and Pennsylvania being happily over, we may expect some improvement in the condition of the press in these states—in which coarse personalities, and violent abuses of public decency, have much abounded.—It would seem as if many papers had been *gotten-up* rather with a view to serve the purposes of bawling politicians, than inform the public mind—to scatter filth, rather than spread instruction.

GENERAL WASHINGTON. It has been stated in several of the papers, that the father of his country held the office of marshal of France, under Louis XVI.—The National Gazette publishes the following extract from an autograph letter taken from the files of the late Clement Biddle, esq. of this city, which bears date Mount Vernon, January 31st, 1785, and is addressed to a Mr. Æneas Lament, who had dictated to the general a volume of poetry.

"It behoves me to correct a mistake in your printed address "to the patrons of the fine arts." I am no marshal of France; nor do I hold any commission, or fill any office under that government or any other whatever."

THE PUNISHMENT OF DEATH. We have a long account, in the Raleigh Register, of the execution of Elijah W. Kimbrough and negro Carey, and of the press of *tender-hearted females,** and others, to see the show—*Kimbrough* had been convicted of the greatest crime—wilful murder; poor *Carey* had broken open an out-house, where no body slept, and robbed it of property worth about five dollars—but both had the same fate. Such are the laws of North Carolina.

VERMONT. The legislature has repealed the act of 1828, by which this state was divided into districts for the election of members of congress, so that Vermont returns again to the general ticket system. This retrograde movement has been made, probably to prevent the evil of holding so many elections in some of the districts. In all the New England states it requires a majority of the whole number of votes taken, to constitute a choice; and where there are many candidates, as is often the case, the people frequently undergo the inconvenience of repeated attempts before an election is made. In two of the districts of Massachusetts, recently, there has been a failure to make an election; and another trial, at least, must take place. [In some cases, there have been as many as five or six trials, before a choice was made.]

*It seems that in some parts of Europe, only the lowest order of *prostitutes* attend executions; and, indeed, that most of these are ashamed of such violations of female decency. Attending women are fit subjects for the cowhide.

MASSACHUSETTS. George N. Briggs is the new member of congress from Berkshire district, in the place of Mr. Dwight, who declined a poll. For Mr. Briggs 1,616, Mr. Willis 787, others 430.

NEW YORK. The following are the three members of congress, elect, not reported in our last:

	Present congress.	*Next congress.*
Otsego,	W. G. Angel,	W. G. Angel.
Cayuga,	G. Powers,	U. F. Doubleday,
Erie, &c.	E. F. Norton,	*Bates Cook.*

The New York "Standard" says that the next representation in congress will consist of 23 in favor of gen. Jackson's administration, and 11 against it. In the present congress, there are 19 administration and 15 anti-administration members.

The returns for governor are not yet complete. We shall make a record of the votes, by counties, for governor and members of congress, when received. The last Albany Argus gives the *majorities* in all the counties but two—27,842 Throop, 17,963 Granger—the probable majority for the former will be less than 9,000. The votes polled are said much to exceed 200,000—but we have not the number of them.

Particulars hereafter.

PENNSYLVANIA. The Harrisburg Chronicle says—"On Wednesday morning last, *one hundred and twenty three* wagons were counted in and about the market square, and on Saturday last *one hundred and thirty six* were counted, all laden with produce for this market.

"*The canal* is in fine navigable order from Clark's ferry, through Harrisburg to Middletown, and business brisk. The Union canal is also in good order, and a number of boats, loaded with merchandise, are daily expected by our forwarding and commission merchants.

SUGAR CANE IN MARYLAND. A fine stalk of sugar cane, 4 inches in circumference, and more than four feet high, was brought to our office yesterday, from the farm of Wm. L. Brent, esq. in Prince George's county, who planted one or two hundred canes, by way of experiment, in May last. The cane which we saw, appeared to be well ripened, the juice abundant and sweet, and to all appearance as fine, we understood, as if it had been the product of Louisiana. Its maturity is not alone evidence of the extreme mildness of our present autumn, but shews also we think, that the plant is susceptible of being acclimated in latitudes much higher than those to which its culture has been hitherto confined. [*Nat. Int.*

GEORGIA. After *thirty-one* ballotings, Lucius Q. C. Lamar was elected judge of the superior courts of Ocmulgee district. On the first ballot, Mr. Lamar had 71, Mr. J. Smith 66, Mr. Safford 71. In general, Mr. Lamar kept, or exceeded his first number, but the votes given to the others fluctuated considerably—after the 30th ballot, Mr. Safford was withdrawn, and the vote stood Lamar 104, Smith 94, and 3 scattering, and the contest was ended.

ILLINOIS. A full return of the votes given at the late election for governor, has the following results:—For Reynolds 12,963, Kinney 8,958.

THE WEST INDIA TRADE. The St. Andrews, N. B. Herald, of October 26, contains some severe strictures upon the British ministry for their vacillating policy in regard to the colonial trade; but the editor says, "We are not prepared to say that the present change, if made permanent, would ultimately be injurious to this colony." He then goes on to state the advantages which the British will enjoy by the opening of our ports.

"The tonnage duty paid on admission to entry in the ports of the United States, is six cents per ton, and on the 1st of April next, it ceases altogether, so that we think it is the fault of the colonists if they do not monopolize the plaister trade entirely. It is expected that parliament will lay heavier protecting duties on such articles as those provinces furnish, when imported into the West Indies from the United States; this would be well enough, if the collection is not, as formerly, evaded.

"We are persuaded that the Americans will find that they have gained but little by the change. The English West Indiamen, on their triangular voyages, as with us, will enjoy a large proportion of the carrying trade, so that, we are confident, not a single ton will be added to the shipping of the U. States, as their coasting trade will lose more than the direct trade will gain. The president's proclamation will be a death blow to the commerce of the Island of St. Thomas, and an island somewhat nearer to us (Moose) will participate in its ruinous effects also, to a certain extent."

WOOL. The foreign quarterly review has an article on the German wool trade, from which we gather the following facts:

From 1814 to 1819, the annual amount of wool imported into England from Germany increased from 3,595,145 lbs. to 4,537,938 lbs. and in 1828 it was no less than 23,110,822 lbs. At the same periods the annual amounts of wool imported into England from New South Wales, were 32,971—7,284—and 1,603,512 lbs. Some of the New South Wales' wool is said to be fully equal to the best from Saxony.—Great efforts are now made to improve the breed of sheep in Russia, as well as in Silesia, Bohemia, Poland, &c. Merino's are also spreading into Italy. Spain has lost her credit; many of the best flocks of merino's were driven to France by Napoleon's generals, and those that remain have become so degenerate, as not to be worth more than one-third as much as the same stock of sheep in Germany.—The average weight of a German merino fleece is from 2½ to 3 lbs.—The average annual production of wool in England is 111,160,560 lbs. [*Journal of Humanity.*

MRS. BROWN. We find the following tribute to the late Mrs. Brown, wife of James Brown, our late minister to France, in a recent number of the Virginia Gazette:

"Mrs. Brown was the eldest sister of Mrs. Henry Clay, and daughter of col Nathaniel Hart, formerly of Hagerstown, Md. and afterwards of Lexington, Ky. Mrs. Brown was a most affectionate wife and accomplished lady; the writer of this paragraph never saw more than one lady who shone in the drawing room superior to her whose death he is now announcing, and not one of a superior order of mind and goodness of heart—her charitable donations were munificent. Mr. and Mrs. Brown were the liberal patrons of merit in every class and order of society. Whilst ambassador at Paris, their hospitable mansion was the rendezvous for their countrymen, where was to be seen at all times the best Parisian society. No words of ours can convey an idea of the domestic virtues and accomplished urbanity of her whose death thousands will mourn."

MISSION TO RUSSIA. Mr. Randolph having abandoned Russia—seems, as is said, to have left the concerns of the United States in charge of John Randolph Clay, a minor, or "youth of 20," as the Richmond Whig observes, who was appointed "secretary of legation."

In respect to Mr. R. the U. S. Telegraph has the following supplementary account.—

"We find that we were mistaken in supposing, as we did yesterday, that the president's permission to Mr. Randolph to visit the south of France, had been sent to him recently. He was authorized *by his original instructions*, to do so, if the state of his health should make it necessary, and the affairs of the mission would admit of his temporary absence without injury to the public service.

QUALIFICATIONS OF JURORS. At a recent term of the court of common pleas, at Newport, a juror was rejected because he was a freemason. We find it thus reported in the Newport Mercury.

In case, Benjamin Chase *vs.* J. C. Borden, which was an action of assumpsit for the recovery of money due on book account, an exception was taken to Mr. Bateman Munro, one of the drawn jurors, as not qualified to sit as a trier in this case. The ground of the objection was, that Mr. J. C. Borden, the defendant, was a member of a masonic lodge in the state of Massachusetts, and that the juror objected to was also a mason, and, therefore, disqualified by his masonic obligations to decide impartially between the parties at the bar, one of whom only was connected with the masons. Several witnesses were sworn and examined as to the nature of these oaths, and particularly how far they are reported with accuracy in an anti-masonic publication, called "Light on Masonry." The question was then argued with earnestness and ability and the importance of the decision very fully depicted by Messrs. Pearce and Turner for the objector; and Hazard and Cranston in reply to it. After adjourning to deliberate, the court decided, we understand, that the objection should be sustained, and the juror withdrawn. One of the judges remarking, in a subsequent stage of the proceedings, that the juror was taken off not because he was a mason, but on account of the nature of the obligations which were in evidence before the court, and where considered to conflict with the oath of the juror, as imposed upon him here.

[Other judges will decide against the competency of jurors, because they are *anti-masons*—and what then?]

NATHANIEL BOWDITCH. The French *Revue Encyclopedique* contains the following complimentary notice of our distinguished countryman, *Nathaniel Bowditch.*

"*Mecanique Celeste.*—By the marquis de *La Place* translated with a commentary, by *Nathaniel Bowditch,* L. L. D. vol. 1. pp. 746. 4to. Boston, 1829."

"This translation of the most remarkable work that has for a long time appeared in the departments of mathematical and astronomical science, ought not to be viewed merely as a tribute of respect to the memory of the illustrious geometrician whom France has recently lost. We regard it as an incontestible evidence of the progress which the mathematics have made in the United States, a country which we have been accustomed to regard as barren in the purely speculative science. If all the branches of human knowledge are cultivated there with as much success as this, the stream of instruction will flow back towards its source, and the west will shed its light over the east. As the second volume of this translation is to appear in the course of the present year, we shall defer any further notice of the work, in order that we may give an account of both volumes at once. This will oblige us to engage in new mathematical investigations; for the indefatigable translator has enlarged the original more than one half by the addition of his notes and commentaries. These will receive our particular attention."

CURIOSITY. This country abounds with lakes or ponds, from a few yards to a mile in diameter—the banks are sometimes sloping, but generally abrupt. The water is often of great depth. A circumstance occurred a few days since which shows the manner in which they are formed. This country is based on a porous shell-rock of the most recent, or tertiary formation, which is penetrated in every direction by streams of various magnitudes, from the rivulet, to navigable rivers. The Waucissa which rises in Jefferson county, is supposed to discharge a larger volume of water than James' river at Richmond. The Wakulla is also a considerable river at its first appearance. It is supposed to discharge the waters of lake Jackson and the Lamonia. Between the fountain of the Wakulla and these lakes, a number of smaller ones occur at intervals. The water is deep and transparent at all seasons, indicating a constant supply and discharge by subterraneous channels. About four miles south west from this place, in their vicinity, a lake of about half an acre in extent was formed last Friday night. We are told that a party were fire-hunting deer, and had passed the spot but a few moments previously.—The earth which was covered with large trees, fell with a tremendous crash, and the frightened huntsmen fled in consternation. The spot has since been visited by some gentlemen from this place—they state that it is from forty to fifty feet from the surface to the water, the depth of which was not ascertained. The banks are nearly perpendicular. The *sink* is surrounded by high sand ridges. [*Florida Advocate.*

ENGLISH. A letter from an American gentlemen at Paris, under date of September 18, says:

"You would be astonished to witness the ignorance that prevails in Europe, with regard to our country, and

its institutions. Its extent and resources are beyond their comprehension. Our government is a perfect puzzle; and they cannot understand how twenty-four sovereignties can form one, and yet each retain its own sovereignty. A surgeon in the British army, asked me what was the general language of the country. I replied that the *Mohawk* was the native language, but that those who were caught early, and tamed young, sometimes talked English. To another *Hinglishman*, who asked the same question, I replied we talked the American language—a kind of antique English, such as was written by Addison and Johnson, and spoken by Burke and Pitt, but which I could not recognize as the legitimate English which I heard in common use in England. A Yorkshireman, who was my fellow traveller on the top of a coach, upon learning I was an American, complimented me by saying, "Yees talks ez gude Hinglish az wi duz." "Yees sur, hand hize cum to Yorkshire, said I, tu perfect my hedication."

NULLIFICATION EXPOUNDED. In the district represented by Mr. *Barnwell*, a member of congress from South Carolina, a public dinner was recently given to him, and the member delivered a long speech, of which the following extract is a passage:—

"By a law of the United States, the non-intercourse law, the president was authorised to prevent, by armed force, the intrusion of the whites upon the Indians. Yet, when Georgia became dissatisfied, and justly so, with the conduct of the government, when she became assured that the Indian titles would never be extinguished, what was her remedy? *She abrogated, she nullified, the treaty; she reverted to her original sovereign right over her soil; and extended, in defiance of all treaties, of all laws, her own jurisdiction over all persons within her limits.* And what was the result? Disunion? No! The tempest did rumble at a distance, but those fearless champions trembled not at its threatenings, and it passed away. Bloodshed? No! The crash of arms was heard—the tocsin of violence was sounded—but Georgia's patriots were ready at their posts, their feet were planted upon her boundary; and their firm and lofty defiance achieved at once what their petitions, remonstrances and appeals, had for years attempted in vain. They triumphed! *Here then, is a precedent: here was nullification: nullification of a treaty of congress—of a law of congress—of the pretended law of the land.*—This is a precedent familiar to all. It is one on which we may confidently depend."

It will be recollected, however, that president *Adams* resisted this nullificatory process, and in his message to congress, of the 5th Feb. 1827, said—

"Intimations had been given that, should they (the surveyors) meet with interruption, they would, at all hazards, be sustained by the military force of the state; in which event, if the military force of the union should have been employed to enforce its violated law, a conflict *must* have ensued, which would, in itself, have inflicted a wound upon the union, and have presented the aspect of one of these confederated states at war with the rest. Anxious, above all, to avert this state of things, yet, at the same time, impressed with the deepest conviction of my own duty to take care that the law shall be executed, and the faith of the nation preserved, I have used, of the means entrusted to the executive for that purpose, only those which, without resorting to military force, may vindicate the sanctity of the law by the ordinary agency of the judicial tribunals.

"It ought not, however, to be disguised, that the act of the legislature of Georgia, under the construction given to it by the governor of that state, and the surveys made, or attempted, by his authority, beyond the boundary secured by the treaty of Washington, of April last, to the Creek Indians, *are in direct violation of the supreme law of the land, set forth in a treaty, which has received all the sanctions provided by the constitution, which we have been sworn to support and maintain.*

"In the present instance, it is my duty to say, that if the legislative and executive authorities of the state of Georgia should persevere in acts of encroachment upon the territories secured by a solemn treaty to the Indians, and the laws of the union remain unaltered, *a superadded obligation, even higher than that of human authority, will compel the executive of the United States to enforce the laws, and fulfil the duties of the nation*, by all the force committed for that purpose to his charge.

INTERESTING ITEMS.

The bank of Salisbury, Maryland, a new institution, has just commenced operations.

Resignation. That was a christian expression of one of the martyrs to his persecutors, "you take a life from me that I cannot keep, and bestow a life upon me that I cannot lose—which is as if you should rob me of counters, and furnish me with gold."

Un-royal. The new queen of England is said to possess the unroyal quality of promptly *paying her debts*, and also because that she has resolved not to receive any woman of tainted character at her court. *This is severe!*

Naval. It is stated in the Norfolk Beacon, that orders have been given by the navy department to fit out the sloops of war Falmouth and Vincennes, now lying at our navy yard, immediately for service. It is understood that the frigates Potomac at Norfolk, and Constitution at Boston, are undergoing repairs preparatory to being put in commission.

A dinner party. The English beat us, and perhaps every other nation, in the *vastness* of their dinners.—The most extensive dinner ever given in England, was that of lord Romney to the Kent volunteers, when the late king reviewed them at his lordship's seat, near Maidstone. The length of the tables was 13,333 yds. or seven miles and a half, and the boards of which they were made cost 1,500 pounds. Of the meat and drink we have no account, but they doubtless corresponded in quantity to the length of table.

Murder. As a Mr. Edes, of Pink county, Alabama, was sitting in his own house, by the side of his wife, he was shot dead by some person from without. A man named Garmond, a step-son of Mr. Edes, was arrested for the offence.

Large donation. It is stated in the Cincinnati American, that *Arthur Tappan*, esq. of New York, has made a donation of twenty thousand dollars to the Lane seminary, a Presbyterian institution in Cincinnati.

An old press. In a note, by the editors of the United States Gazette, referring to the ancient village of *Ephrata*, situated in Lancaster county, in this state; the fact is noted that "one of the first printing presses introduced into the state," was located in that village. As a small item of history connected with our profession, we have to add, that the identical press in question, became the property of the editor of this paper in 1804.—He caused the wood-work to be renewed, and removed it to Meadville in the fall of that year. It was the *first* printing press introduced into this state, north west of the Allegheny river, and from which the *first* sheet issued in this region. All the *continental money*, issued by congress, while in session at *Lancaster* and *York*, during the revolutionary war, was struck upon it. This relique of antiquity is now, we believe, the property of Mr. Purviance, of the neighboring county of Warren, and from which the *Union*, a very respectable sheet, is issued—long may it continue to administer to the welfare, prosperity and happiness of the *Union*.

[*Crawford Messenger.*

[The editor of the Register, for many months, worked at a press, (then belonging to himself), said to have been the first, or one of the first, that *Franklin* owned, which was likely enough from its appearance. He parted with it many years ago, and often regretted it since.]

Ladies' dresses. Miss Bartolozzi, sister of Madame Vestris, was on Wednesday examined at the insolvent debtors' court. It appeared that within the last few years she had contracted debts to the amount of nearly 2,000*l.*, principally for stage dresses. Within one year, her debt for shoes amounted to upwards of 100*l.*; for millinery in two years there was an item in her schedule of 340*l.* to one tradesman; to another 400*l.*; and to a Mr. Gironardo, within the last year, for various articles of clothing, between 8 and 900*l.* The lady was discharged.

[*London paper.*

Good nature. Louis XIV., in a gay party at Versailles, thought he perceived an opportunity of relating a facetious story. He commenced, but ended the tale

abruptly and insipidly. One of the company soon afterwards leaving the room, the king said, "I am sure you must all have observed how very uninteresting my anecdote was. I did not recollect till I began, that the turn of the narrative reflected very severely on the immediate ancestor of the prince of Armignac, who has just quitted us; and on this, as on every other occasion, I think it far better to spoil a good story than distress a worthy man."

Old persons, &c. There are, at this time, living on one farm, in Pitt county, N. Carolina, five persons, the aggregate of whose ages is 410 years—the oldest being 100, and the youngest 70 years old. In the same family is a bible 217 years old. [*Wash. Times.*

Important to lawyers. The court of the king's bench lately decided in England, that where an attorney accepts a retainer for managing a case, he is bound to carry it to trial, even though his client may not furnish him with sufficient funds at the time.

Brazilian bonds. Official information has been received at the department of state, that the Brazilian bonds given in the American prize cases, which were settled with the government of his imperial majesty, the emperor of Brazil, by Mr. William Tudor, late charge d'affaires of the United States at Rio de Janeiro, and became due on the 28th of August last, were punctually paid to Mr. Wright, consul of the United States at that capital. [*U. S. Tel.*

Franklin college, at Athens, Geo. (a new and large building), was destroyed by fire on the morning of the 23d ult. The old college was saved, though much endangered.

The chesnut tree. The age of this tree is said to rival that of the oak, while it is not inferior in the durability of its wood. There is a chesnut tree at Tortworth, in Gloucestershire, England, that was known as a boundary mark in the reign of king John. This tree was then believed to be more than 500 years old, making its age at this time above 1,100 years. The diameter of its trunk is 15 feet, and it still bears fruit.

Cuvier, the celebrated French naturalist, is said to have dissected an insect which, though but an inch long contained 494 pairs of muscles, connected with as many nerves, and 40,000 antennæ.

Juggernaut. It is said that the English East India company has, during the last 16 or 17 years, derived a revenue of one million pounds sterling from the worshippers at Juggernaut.

At a late meeting of the court of proprietors, a motion was made to do away the tribute, on the ground that the continuing of it would be sanctioning idolworship. *The motion was rejected by a large majority!!!*

British West Indies. The value of imports into the United Kingdom from the British West Indies, was £7,932,000 in 1825, and £9,497,000 in 1828.

The card manufactory, of Messrs. W. Whittemore and company, at West Cambridge, near Boston, with all its apparatus, was lately destroyed by fire. Loss $30,000, besides the employment that it gave to a large number of persons.

Ancient clothing. The countess of Moira, in a letter published in the Archæologia, mentions that a human body was found under moss, 11 feet deep, on an estate in Ireland, belonging to the earl. The body was completely clothed in garments made of hair, which were fresh and not at all decayed; and though hairy vestments evidently point to a period extremely remote, before the introduction of sheep and the use of wool, yet the body and the clothes were no way impaired.

Letters. Upwards of 8,000 letters were received at our post office, from the different vessels which arrived in the course of one day. This is believed to be the greatest number ever received in one day. [*N. Y. Gaz.*

Cooper's new novel. We are glad to learn that Mr. Cooper's new novel—*the Water-Witch*, or the Skimmer of the Seas—will be published here, by Messrs. Carey and Lea, early in December. [*Nat. Gaz.*

[This work has been spoken of in high terms of commendation. We "suppose" it is an account of some *Baltimore*-built schooner—perhaps of that from which the whole British islands were declared in a state of blockade, during the late war!]

Ohio county, Virginia, has 14,985 white inhabitants, 361 slaves, 195 free people of color, 109 aliens, 7 deaf and dumb, and 1 blind—total 15,541.

Increase since 1820—6,265 whites, 152 free colored persons, and 58 decrease slave population. Increase, 73 per cent.

Seduction. In an aggravated case lately before the court in Kent county, Maryland, damages were awarded to the amount of 2,083 dollars—the *whole* supposed value of the real and personal property of the seducer.

Crook's factory. The cotton mill in Baltimore, known by this name, was sold on the 10th inst. at auction, for $31,500.

Died, at Greenwich, Conn. on the 6th inst. capt. *Henry Waring*, aged 88, a brave soldier of the revolution.

Competition. Worcester cattle show took place on the 13th ult. The following is from the report on manufactures: A bed-spread made by Miss Caroline Henshaw, of Leicester, when *three years of age*, came in close competition with a bed quilt made by Mrs. Sarah Dunsmoior, of West Bolston, at *the age of eighty-four*. Either of them would do great credit to persons in the meridian of life. [*N. E. Farmer.*

Valuable cargo. The ship *Talahassee*, cleared this day for Liverpool, has a cargo of 1,910 bales Upland cotton, valued at $67,328 94. [*Char. Pat.*

Canal tolls. The Albany Argus states that the tolls collected on the state canals up to the 1st of September, amount to $514,000 being about $100,000 more than were collected in the same period last year.

Great dividend. The American Insurance Company, of this city, yesterday declared a dividend of twelve per cent. for the last six months, payable on the first of December next. This company has been in operation fifteen years and six months, and has never failed in making regular semi-annual dividends. The original stockholders have received in that time, over and above the subscription price of the stock 1,560,000 dollars, which is upwards of 20 per cent. per annum. The capital of the company is 500,000 dollars. A better rate of interest cannot be desired. [*N. Y. Post.*

Important canals in Russia. Three most important works of this kind are at present executing; the "canal of the Windawa," which will unite that stream with the Niemen; another canal which will unite the Niemen with the Vistula; and a third, which will form a junction between the Volga and the Moskwa. The whole of the three were commenced in 1825, and will be shortly thrown open for navigation. [*Athenæum.*

University of Munich. It is mentioned in a letter of the 20th of August, that during the winter session of 1830–1, one hundred and eighty-seven courses of lectures will be delivered by eighty-seven professors and teachers!—to wit, in theology, 17 courses by six lecturers; in law, 26 by thirteen; in economy, 16 by seven; in medicine, 51 by two-and-twenty; and in philosophy, 77 by thirty-nine. It is somewhat remarkable that the faculty of theology, which is the most important, and the courses which are most numerously attended, should be physically weaker than even its economical colleague. [*Ibid.*

The coffin of col. Willett, who died recently in the city of New York, was made of pieces of wood, collected by himself many years ago from different revolutionary battle grounds. The corpse, in compliance with a written request of the deceased, was habited in a complete suit of ancient citizen's apparel, including an old fashioned three-cornered hat, which had been preserved for that purpose. It is estimated that several thousand persons passed through the house for the purpose of viewing the remains.

The national road from Vandalia to the eastern boundary of Illinois, has recently been put under contract, on terms falling considerably within the appropriation made by congress. The distance, in a straight line from Vandalia to the state line, is about ninety miles, and the route of the road is so direct that it exceeds that distance less than one mile.

Negro colony in Canada. The free negroes who left Cincinnati about a year ago, have obtained a grant of 25,000 acres of land, in Upper Canada, about 350 miles from Detroit, for which they are to pay 150 cents per acre. They are about 700 in all. Their children

attend the free schools, gratis. They are gathering strength rapidly. The Quakers of Ohio had prevented much suffering by the donation of 700 dollars to them, last winter.

FOREIGN NEWS.

Paris papers of the 13th—London of 15th October.

GREAT BRITAIN AND IRELAND.

The British revenue shews a comparative deficiency in the last quarter of £188,854—chiefly in the excise.

Many changes in the ministry, &c. are speculated on.

The working classes are pretty fully employed, but at wages that will hardly "keep soul and body together."

FRANCE.

The chamber of deputies have seriously taken up the proposition for an abolishment of the punishment of death. The following brief account of the debate which took place upon this subject on the 9th of October, is from the correspondent of the London Courier. It will be seen that the proposition was considerably modified, so that capital punishments are not to be entirely dispensed with.

Public attention is much roused in Paris to-day, on account of an important debate that took place last night in the chamber of deputies, respecting the *total and immediate* abolition of capital punishment.—This question originated in a motion of M. de Tracy, an enlightened disciple of the La Rochefoucault school, and son of the count de Tracy, author of several works of metaphysics. The motion was sent to a special committee. The opinion of the committee was, that the motion ought to pass; but that the question had so many bearings, that the decision of the house ought to be postponed till next session. The debate took place yesterday. A most remarkable speech was delivered by M. Keratry, a man of a firm honest mind, and one of our best writers. He proposed an amendment, that the house should address the crown, in order to obtain from the king a proposition of a law abolishing the pain of death for a great many offences, and especially for all political crimes. He was supported by gen. Lafayette. M. Girod L'Ain, prefect de police of Paris, insisted on a total abolition, on the ground of his personal knowledge, (having been twenty years a magistrate) of the ineffieacy of the punishment of death. The house admitted, however, M. Keratry's amendment, and an address was agreed upon. The decision on the motion divided the house in the proportion of 229 against 21.

The urgency with which the decision was pressed forward, seems to indicate that the project is a humane one, designed especially to save the ex-ministers from execution, as no doubt of their conviction is entertained.

The following article from the *Moniteur* of the 10th, shows in how favorable a manner the address was received by the king:—

The punishment of death.—The king has received the grand deputation charged to present him the address, adopted yesterday by the chamber of deputies. A great number of members accompanied the deputation. All the ministers were present to the right and left of the king, who was seated upon the throne. The president having read the address, his majesty replied,

"Gentlemen,—I receive with great satisfaction the address which you have presented to me. The sentiments to which you give expression, have been a long time in my heart. Witness, from my earliest years, of the frightful abuse of the punishment of death in political matters, and of all the evils which have resulted from it to France and humanity, I have constantly and warmly advocated its abolition. The remembrance of these times of disaster, and the melancholy feelings which oppress me when I turn my thoughts to them, will afford you a sure pledge of the eagerness with which I shall hasten to lay before you a project of law conformably to your views.—With respect to mine, they will never be completely fulfilled until we have entirely effaced from our code all those rigors and penalties at which humanity, and the present state of society, revolt."

The question will now be looked upon by the French people, says the London Sun, as the king's own, as one in which he is himself personally interested; and we doubt not his excessive popularty will enable him to carry it through. Lafayette, too, is warmly interested in its favor, and his opinions deservedly carry great weight. Still it cannot be denied that a vast mass of the people are bent on seeing the severest measure of justice dealt out to the ex-ministers [especially Polignac], and that in the event of their disappointment, much acrimonious party-spirit will be brought into play.

Sweden has acknowledged the king of the French.

There are 2,500 battalions of national guards in France. The 2,500 battalions present a force of 1,500,000, or 1,400,000. 500,000 have already been armed, 300,000 men are completely armed and equipped, 1,780 companies of sapeurs, 400 of cavalry.

The number of barricades erected at Paris during the three days of July amounts to 4,055; the number of flag stones removed to 3,124,000. The repairing has cost 250,000 francs.

The new elections about to take place in France excited much speculation, but no great anxiety.

A part of the army at Algiers was to be withdrawn—as not requisite for the safety of the conquest.

The ambassador at Constantinople has raised the tri-colored flag, at his palace.

There are some Frenchmen in whom the habits of politeness are so strong, that on no occasion do they deviate from them. During the recent revolution, the rooms occupied by an English gentlemen who resided at Paris, were visited by some Frenchmen of respectable appearance, who, after having knocked at his door and apologized for the intrusion, begged, in the most polite manner, "*qu'il leur seroit permis de tuer quelques Suisses de la fenetre de sa masion,*"—that he would permit them to shoot a few Swiss from the window. He could scarcely have refused any request urged in so easy and polite a manner. "*Volantiers, messieurs; tant que vous voudre,*" was the reply—"Most willingly, gentlemen; as many as you please." They accordingly stationed themselves at the windows, and did shoot a few.

[*Correspondent of the Examiner.*

Paris October 12. Yesterday, at the review by gen. Lafayette, Douelle, one of the battalion of La Villette, came from the ranks, and harangued the general in these terms: "Permit me, general, in the midst of the universal delight which your presence occasions, to express, in particular, the joy which I feel. I am the last soldier of the army which you commanded, and which you addressed, on being forced to quit us in September, 1792. This painful remembrance is obliterated when I think of the tripple alliance which you now form with Philippe I. and the tri-colored flag."

The general, with his natural affability, shook the chasseur by the hand, and told him that he was glad to meet with one of his old comrades.

GERMANY.

Disturbances are rather increasing than were subsiding. Extensive reformations seem probable.

ITALY.

Parts of this country are much agitated. The tri-color had been hoisted in Tuscany—but order was restored for the present, as the military wisely kept aloof from the people.

SWITZERLAND

Is disturbed—especially in Berne, Basle and Zurich; but we have no particulars.

SPAIN.

The people of Spain were highly excited—though as yet no important events had happened. There is a mighty mass of rumors and reports, not worth the trouble of arranging them. Mina does not yet appear to have collected an imposing force on the northern frontier.

MEXICO.

The civil war has not yet ended. Accusations and executions are numerous, still. Among others gen. Victoria has been put to death—and gen. Guerrero had been summoned to appear for trial—alias, to be executed.

PORTUGAL.

The usurper yet retains his power—to do mischief. We have horrible accounts of his imprisonments, exportations and murders.

THE NETHERLANDS.

[Having sufficiently given in the detail the events in Belgium, to shew the spirit and principle by which they

were brought about—we shall be more brief in our notices of future incidents.]

The king has issued the following *terrible* proclamation·

"We, William, &c.—To all to whom these presents shall come greeting. Faithful to the oath taken to the constitution, in pursuance of the obligation which we have to fulfil with regard to our subjects, we have employed in vain every method of pacifying the armed revolt which has taken place in the southern provinces. Finding it impossible in consequence of events which have followed each other with the greatest rapidity, to protect the loyal inhabitants of those provinces against the overwhelming force brought against them (*overmagt*), we feel that it is necessary to turn our undivided attention to that part of our kingdom whose loyalty to our house and to the institutions of a well organized social condition, has been displayed in so positive a manner. You see with what rapidity the conduct, to which a multitude deserving pity has been driven, has produced terrible disasters. Your prudence,—your fidelity to your duties,—your attachment to honor,—and above all, your belief in the existence of a God, who punishes injustice,—have prevented you from being carried away by the tempest. The maintenance of that liberty which the united Low Countries have enjoyed during centuries, would then perhaps for ever be impossible and your ruin had been certain. Inhabitants of the loyal country, your strength is wanted at present for the protection of your country. The situation of the kingdom requires that a general arming should take place, and that your energy should be employed in preserving all that you hold dear and sacred. The fundamental law declares that in circumstances similar to those in which we are now, it is one of the first duties of the inhabitants of the kingdom to take up arms. This order is in accordance with your wishes. To arms, then, at the pressing demand of your sovereign! To arms for the cause of order and the laws! To arms under the protection of Almighty God, who has so often saved the Low Countries and the house of Orange from the greatest dangers.

"We shall order the governors of towns and communes to take immediately such measures as will give the greatest facilities to the speedy equipment of volunteers, in the mode best adapted to the objects to be effected in different localities. They will shortly receive from us the necessary instructions.

Hague, October 7."

This roused the Hollanders a little, and a few volunteers offered themselves. The prince of Orange, at Antwerp, also issued a proclamation, addressed to the Belgians, as being provisonally charged with the government, promising that, on submission, they should have a distinct administration composed only of themselves, &c.

The Dutch accounts say that these proclamations had much effect—but the Belgians were exceedingly busy in arranging a government for themselves, disregarding all the promises of the prince. Indeed, the project of a constitution has already been offered. All the acts of the king had been *nullified*. The merchants of Amsterdam have closed their purses, and much pecuniary embarrassment had befallen the king.

It seems that gen. Van Hallen had retired from the command at Brussels, being succeeded by gen. Duviviers, of Mons, who is highly spoken of. The Belgians shew a very strong disposition to rest their defence only in the hands of natives. They had rejected the offered services of many foreigners; but a proclamation has issued inviting "home" those of the Belgians who belong to the army of the king.

Liege had surrendered—the citadel of Ghent still held out. The tri-color floats on almost every part of Belgium.

France has given new indications that she will not interfere in the affairs of Netherlands, unless to protect the *people* in the management of their own concerns. It was strongly reported at Ostend, 11th October, that 15,000 *Prussian* troops had entered Belgium, to be speedily followed by other strong bodies of soldiers. We much doubt this intelligence.

The ultimate result of the Belgic revolution, cannot be guessed. There are many speculations in the London and Paris papers concerning it—but much discord in opinions, as well as to facts.

From the Courier des Pays-Bas of October 13th.

The provisional government of Belgium: central committee.

With reference to the commission intrusted with the preparation of a constitution for Belgium, and to propose an ordinance to regulate the elections of a national convention:

Taking into consideration that the convention summoned to determine with respect to the interests of Belgium, ought to be a true national representation, it is therefore now necessary to adopt a direct and liberal system of election.

Nevertheless, taking into consideration that circumstances demand the prompt assembling of the convention, and that a system of election, which should retain nothing of the foundation of the ancient electoral system, would occasion delay, and that the mode of election in which we shall now proceed is only temporary ·· It is decreed,

I. The national conventions shall be composed of 200 deputies.

II. The members of the national convention shall be chosen directly by the citizens.

OF ELECTORS.

III. To constitute an elector, it is necessary,

1. To be a Belgian by birth or naturalization, or to have resided six years in Belgium.

2. To be at least 25 years of age.

3. To pay the proportion of contributions which the usages of the several towns and districts have appointed, according to the respective localities, for admission to the electoral colleges.

4. To form the electoral census, spoken of in the preceding article, there shall be reckoned to each elector the direct taxes which he pays throughout Belgium.

[We omit the 5th and 6th articles, as being of no particular interest to our readers.]

7. The following are, in like manner, electors, without any electoral census being required of them, provided they fulfil the two first conditions of article 3.—Counsellors, judges of the tribunals, justices of peace, advocates, attornies, notaries, doctors of law, in science, in letters and philosophy, of medicine, surgery, or midwifery.

8. The elections shall take place by administrative districts.

9. The electors shall assemble at the elections in the administrative district where they have their actual domicile.

OF ELIGIBLES.

10. Every citizen of at least 25 years complete, a Belgian by birth, or, having obtained the right of naturalization, may be a deputy to the national convention, if he is a resident of Belgium. All strangers who had established their domicile in Belgium, previously to the formation of the *ci-devant* kingdom of the Netherlands, and who have continued to reside therein, are considered as natives.

11. It is not required that the deputy shall have his domicile in the province for which he shall be elected.

Latest—Paris dates of the 19th Oct.

Some disturbances are mentioned in certain parts of France—but it does not appear that they would "amount to much."

The proceedings against the ex-ministers were gradually going on. It would probably be a long time before they shall be concluded. Polignac and his associates were carefully imprisoned—but well treated. The mass of the people seem exceedingly anxious that they should all be put to death; and it is stated in the Temps of the 18th Oct. that the project of abolishing the punishment of death will not be brought forward under two years. If so—the ex-ministers will, probably, suffer.

"A dark plot" for the overthrow of all the "powers that be" in Germany, is said to have been discovered. The people of Hesse had been pacified, for the present.

Measures had been taken to prevent natives of France from entering Belgium—and parcels of arms had been seized. A strict neutrality is designed to be preserved.

A good many houses, of large business, have failed in France.

The law had passed in France, making an appropriation of 80,000,000 francs, to be employed in advances to the mercantile and manufacturing interests. It was opposed, as *being directly in opposition to the sound maxims of political economy, which leaves trade in all its branches to regulate itself,* and also as being a dangerous precedent that would ultimately lead to the ruin of the finances of the state. The law was adopted, 61 to 12. The "let-us-alone" being in the minority.

Many of the French troops were sick at Algiers. Some had submitted, though there was some fighting with the Arabs—who attacked furiously and lost a large number of men. The French, however, had a well organized force of 1,000 Arabs. They are pursuing the policy of the British in the East Indies.

The Austrian funds are at a very low price—and much distress had ensued in consequence.

The pope yet firmly resisted all entreaties to acknowledge Don Miguel.

There is nothing important from the Netherlands—but it would seem as if some negotiations were about to be commenced. There was no more fighting, reported.

CULTIVATION OF SUGAR.

The following is a summary of the facts brought out by a committee of the agricultural society of Baton Rouge, in consequence of certain queries propounded by Mr. H. H. Gurley, one of the representatives in congress, from the state of Louisiana.*

The gross product of one hand, on a well regulated sugar estate, is put down at the cultivation of five acres, producing 5000 lbs. sugar, and 125 gals. molasses—the former valued, on the spot, at 5½ cents per lb. and the latter at 18 cents per gal.—together $297 50.

The annual expense of each hand, including wages paid, horses, mules and oxen—physician's bills, &c. is 165 dollars. An estate with 80 negroes, annually costs 8,330 dollars. The items are as follows: salt meat, spirits 830; *clothing of all sorts* 1200; medical attendance and medicines 400; Indian corn 1000; overseer and sugar maker's salary, 1050; taxes, 300; annual loss on a capital of 50,000 dollars in negroes, at 2½ per cent. 1250; horses and oxen 1500; repairs of boilers 550; do. of ploughs, carts, &c. 500—total 8,330.

Fifteen acres are required for each hand—5 for cultivation in cane, 5 in fallow, or rest, and 5 in wood-land. The annual consumption of wood, on an estate worked by 80 negroes, is 800 cords. Two crops of cane are generally made in succession on the same land, one of plant cane, the other of ratoon—it then lies fallow two years, or is planted in corn or peas. One hand will tend 5 acres, besides cutting his proportion of wood and ploughing 2½ acres of fallow ground.

The capital vested in 1200 acres of land, with its stock of slaves, horses, mules and working oxen, is estimated at $147,200. One-third, or 400 acres, being cultivated in cane, yields 400,000 lbs. at 5½ cents, and 40,000 gals. molasses at 18—together $23,800—deduct annual expenses as before, 8,330, leaving an apparent profit of 15,470—or 10 3-7 per cent. as interest on the investment.

The capital in sugar estates in Louisiana is estimated at 45,000,000 dollars—31 millions for the old sugar establishments, and 14 for the 214 new works that went into operation in 1829. Such capital, 25 years ago, did not exceed 20 millions.

The Louisiana sugar yields from 30 to 35 per cent. in refining—that of the West Indies from 45 to 50.

The following notes are added:

1st. Statement of interest at 10 3-7 per cent. on capital.

1200 acres at 50 dollars,	$60,000
80 hands, at $600, and charges,	50,000
40 pairs of work-oxen at $50 per pair,	2,000
40 horses at 100 dollars each,	4,000
A horizontal sugar mill,	4,000
2 setts of boilers necessary for a plantation of 400 acres, at 1500 dollars each,	3,000
Buildings, viz: sugar house, mill, curing house,	22,000
12 carts at 100 dollars each,	1,200
30 ploughs at 10 dollars each,	300
1 pair of timber wheels at $200, hoes, spades, axes, harrows, scythes, &c.	700
	$147,200

2d. Statement of gross product.

1,000 lbs. of sugar per acre, at 5½ cents per lb.	$55 00
25 gallons molasses at 18 cents,	4 50
Total,	$59 50
per acre, multiplied by 400 acres,	400
Give,	$23,800
Deduct annual expenses,	8,330
Leaves nett,	$15,470

Yielding an interest of 10 3-7 per cent. on the capital of 147,200 dollars, as calculated for a sugar plantation of 1,200 acres, cultivated by 80 hands.

The whole crop of Louisiana, [1828] as added up in Aug. 1829, was 88,878 hhds. sugar, of 1000 lbs. each; about 60,000 hhds. of which were sent from Louisiana to her sister states by sea—the rest sent up the river, or consumed in the state and its neighborhood.

The imported sugars consumed in the United States in 1829 were about 51 millions of pounds; 63 millions being received and 12 millions exported: and, in the treasury documents, the *brown* sugar imported, is put down as costing 5½ cents per lb.

There were about 700 sugar plantations in Louisiana, at the end of last year. Their number has been considerably increased since, because of the "*diminishing price of cotton,*" as the society says. It is also observed, that they have been compelled to abandon the cultivation of indigo, on account of the ravages of insects—that the lands are not fitted for growing wheat, barley, &c. or the vine or the olive, because of general humidity, or intense heat; and that, as "*cotton must be forsaken at last,*"—Louisiana, with her sugar cultivation destroyed, would soon be a vast forest of useless trees—chiefly the magnolia, rejected even as fuel for steamboats! It is admitted, that the climate of the West Indies is better fitted for the growth of cane than Louisiana—in the former, the crops proceed throughout the year, uninterrupted, &c.

The allowance of 10 3-7 per cent. for interest on capital as above, seems only gained, as represented to us, on plantations uncommonly well managed; and the value of the planter's own time, or his personal and family expenses, is not added. The New Orleans Argus, gives the following as the nett and gross income of one of the best and most profitable establishments in the state, from 1824 to 1828, and it appears that the nett income on $150,000 capital, was no more than 6 70-50 per cent. per annum.

	Gross proceeds.	*Expenses.*	*Nett proc'ds.*
1824,	$4,336	$3,831	$499
1825,	11,705	4,975	6,730
1826,	10,699	4,392	6,227
1827,	14,694	3,028	11,666
1828,	12,819	4,944	7,875

*Since this article was in type, we have first seen a letter from the same committee, dated Baton Rouge, Sept. 25, 1830, and addressed to Mr. Ingham, secretary of the treasury. It refers to the report made in reply to Mr. Gurley's queries, from which our items are extracted,—but says, that the committee "was *deceived* "by the abundant and extraordinary crop of 1828—a year "unexampled, and probably never to be equalled in this "country—we magnified the produce and passed superficially over many expenses, and considered as naught "the annual accidents," by colds, and frosts and winds, &c. And, in fine, they think that the produce of 1830, according to the quantity of acres cultivated, will not be more than *one-half* that of 1828. Some other important facts are mentioned, which we have not time to notice; nor is it of much present interest that we should,—for they do not affect the principle or tendency of our remarks. It is sufficient, that the committee now admit the highest rate of income, at only *six per cent. per annum*—whereas the rate of interest on money, if borrowed in Louisiana, is *ten per cent.* We shall, however, make room for this letter at an early day.

PRACTICAL REMARKS, &c.

From the preceding it appears—

That the crop of Louisiana, in 1828, was about 90 millions of pounds of sugar, and 2,250,000 gallons of molasses, on which, IF the duties on like articles imported was a "*tax on consumers*," as *is* pretended, the people of other states paid to the planters of that state, except on the small part consumed by the planters themselves, &c. as follows:——

90,000,000 lbs. of sugar, at 3 cents duty,	$2,700,000
2,250,000 gals. of molasses, at 10 cents,	225,000
	$2,925,000

Say, three millions of dollars. Let the anti-tariff planters, if any there are, remember this. If their "*principle*" is worth as much as a stalk of cane which has passed through the mill, even to afford something for fuel, it must reach this mighty aggregate of a *bounty* paid to them. *We* do not admit this as a "principle" at all. A matter that may, or may not be, *according to circumstances*, cannot be accepted as a *first rule*. Instance, coarse cotton goods—the *duty* on them, if imported, is greater than the *whole selling* price of them, if manufactured at home; and it would be an excellent business to export *cotton goods*, instead of *raw cotton* to ENGLAND, would her "free trade" policy permit their reception at the same duty which the material pays. It is a fact, that our highest protected cotton manufactures are supplied to domestic consumers, cheaper than any other people of the world are supplied with such articles. We care not about the "philosophy" of this thing, and laugh at the "logic" of British statesmen and their American disciples. THE FACTS STATED ARE TRUE. This is enough for our *homely* notions. Speculation is a loudly-bawling lap-dog—truth a lion. England counterfeits *our* marks, that *her* cotton goods may find a market at Mexico, Rio Janeiro, Buenos Ayres, Valparaiso, Lima, Constantinople, Smyrna, Canton and Calcutta! We cannot suppose so much profligacy—so much wantonness in rascality, as to apprehend that John Bull would become a forger, *in fun!*—seeing that he has hung up by the neck, until they were "dead, dead, dead," many ignorant or miserable persons, while *piously* praying that "the Lord would have mercy on their souls," because that they had passed small parcels of rags, made into paper, bearing the impress of one pound notes—or, carrying on them a lie, such as his own bales of goods are stamped with! No—no; John is not roguish, without a view to profit. If it cost the forger of a bank note as much time, or money, to make it, as the note was worth when made, there would be no forgeries of them! And so, if Bull made his cotton cloths as good and cheap as our's, he would be a fool, indeed, to put our marks upon them. He knows that *credit* is *capital*, as well as any body.

As the whole crop of sugar is 90 millions of pounds, and each working hand produces 5,000—this cultivation employed 18,000 full-hands.* We do not wish to enter into a *money-valuation* of the demand for slaves, thus made—but those who talk about "calculating the value of the union," should calculate *this*. We believe, that the ruin of the sugar-planters would depreciate slave-property in the United States, not less than 100 millions of dollars. Let those interested look to it. It is no concern of our's. But if these numerous laborers were turned to the planting of cotton, what would be the effect on that already so abundantly produced article?—They, with their auxiliaries, or younger and weaker slaves, fitted for that cultivation, would add about 40 millions of pounds to the glutted market—and have a natural tendency to reduce the present low price, at least, 20 per cent. A large part of the planters of South Carolina and Georgia, could not stand such reduction two years. There is no people, not even the citizens of Louisiana, more interested in protecting the cultivation of sugar, than the cotton planters of *South Carolina* and *Georgia*—and for many reasons; but especially because cotton, with reference to its quality, can be more cheaply grown in Louisiana than in the other states named. But sugar, being a better crop, has diverted a large amount of labor and capital from cotton, and is proceeding further and further to relieve excessive productions of the latter. These are very plain things—but few in the south will consider them. It might be a sort of treason against the *nation* of South Carolina, to reflect upon them!

It would cause us to proceed to a much greater length than may be assigned to this article, to go into a calculation of the various effects which the cultivation of sugar in Louisiana, has on the various *agricultural* and *manufacturing* interests of other states. Profits gained in any kind of labor—*if expended and retained within a country*, through tens of thousands of channels, pass into the general business, or profits, of the people at large. It is not within the nature of things that profit should remain idle. Men do not make money to lock it up in chests. It passes into the common circulation, and benefits every class of society. Let us suppose one case, rather a personal one to be sure!—but just as well fitted to shew the operation as any other. Say, because *I* think it inexpedient to touch the present duty on sugar, that the planters may have profit on its cultivation, the whole *seven hundred* should believe that *I* ought to have profit in publishing the REGISTER? Well—they would pay me 3,500 dollars a year. Would this money be lost? No—it would issue to my workmen and the paper-maker, and through him to the rag-gatherer, and the paper-maker's own working people, including many women and children, and through all these to the farmers and manufacturers, and from the latter, some part of it might come back to me again, in its wholesome and endless revolutions. If after paying these, there should be any thing left, I might feel able to build a house for myself to live in, and purchase new furniture, thus giving *new* employment to laborers, carters, stone quarriers, brick-makers, masons, carpenters, cabinet makers, and the fifty other trades or businesses dependent on them—and all these, through *me*, would be enabled to pay a proportion of the "tax" upon sugar—in whole or in part, for the benefit of the Louisiana planters! It is true, that they, because of location and climate, seem to have something that approaches a *monopoly*—which does not belong, in like manner, to *any other* agricultural or manufacturing business; but this will soon "regulate itself," and reduce the price of sugar to its *minumum*. We see, that 214 new works went into operation in 1829, and the increase of the present year has been large. There is land enough in Louisiana, Florida and Mississippi, &c. to furnish many times the supply of sugar that we need; and it is impossible to prevent capital from running into its cultivation, while that shall yield a better profit than other pursuits. It should be recollected also, that the supply of cotton is mightily increasing and its price diminishing, while the means of growing it in the United States, because of the rapid *increase of slaves*, are powerfully extending. We shall not discuss the *moral* principles involved in this latter important consideration. We *have* this unfortunate population—and they *must* be employed—be sent away, or *killed-off*—and, as they increase, the profits of their labor will be reduced. This is self-evident. Their pursuits cannot be varied like those of free white persons. They are restricted and restrained, as well by necessity because that they are slaves, as by prejudice, on account of their color. The "northern hive" sends out its tens of thousands annually, proceeding yet further north, or south, or east, or west—or, passing beyond the seas, make a stopping-place at the Falkland islands, call at Owyhee, traffic at Canton—or, like speeks on mighty waters, live upon the trackless ocean, and make war upon its gigantic inhabitants—being *every* where and remaining *any* where, if profitable employment is found; ——BUT THE SOUTHERN SLAVE SURPLUS REMAINS, OR PROCEEDS ONLY SOUTH—SOUTH—SOUTH. We do not wish to dwell on this subject. But, though proscribed and persecuted* in some parts of the south, the time will come when "Mathew Carey and Hezekiah Niles," (present subjects of so much oyster-knife wit and coarse abuse),

* More nearly 36,000, according to the amended report of the committee, as mentioned in a preceding note—and the reader, if he pleases, may *double* all the calculations we have made, which are affected by this new information.

*Mr. Carey is out of the reach of these persecutors—but I am not. No claim is made for support, unless for satisfaction rendered; but it is esteemed persecution,

because of their writings on the *protecting system*, will be greeted as among the benefactors of those who now so much reprobate them. In mentioning my venerable friend's name, or my own, I wish to be clearly understood as not claiming any sort of precedence, or pre-eminence, for him or myself, except because we have a front rank among the calumniated, by passionate or ignorant persons, who do not, or cannot, *appreciate our motives*—or profligate time-servers, who throw up their caps in honor of the *political* god or hobby, of the neighborhood in which they happen to be located. All these will have to confess, that we, and those with whom we are humbly acting, faithfully labored to postpone, if we could not prevent, an evil day.

The radical error in anti-tariff "philosophers," is in a false valuation of things by what is called money. It is the means of paying for an article, and not the price of it, which determines the *real cost* to consumers. If one man obtains 150 cents for a day's labor, and another only 100, the former can better afford to pay fifty dollars a barrel for the flour which he needs, than the latter can pay five. This principle pervades all societies, and all things. In regard to some, its operation is well understood, but denied in others. Thus, there is hardly an intelligent black man in Baltimore, who has owned a dray for twenty years past—(we take this period because of the *experience* which it has given him), who would not rather that flour was 10 dollars a barrel than 5. He well knows that it will cost him twice as much to feed himself and his house, in the one case, as in the other; but experience has taught him that, at the high price of flour, he has much more employment in his business than in the low one. He cannot tell how it happens, but he is sure there *is* a far greater transportation of commodities generally, in one case than in the other; and one *extra* job, worth only 25 cents per day, will indemnify the extra cost that he has to encounter. Is this effect confined to a lively demand and high price for flour, only? Certainly not. It equally applies to every other great domestic commodity.

The root of profit *is* labor, and this is the grand capital of nations. Let us look a little at the effect of wages, or profits gained. Say, there are three millions of persons in the U. States, that are able and willing to work. If these are all employed, 300 days, and each, by exchanges of his labor, obtains *something*, (no matter what), which we shall call half a dollar a day,—the general product is 450 millions of dollars a year; but and if because of a short demand for labor, only one half of the three millions are employed, or the wages of the whole reduced 50 per cent. (and one or the other naturally results), there is a loss to the CIRCULATION in the mighty sum of 225 millions a year. Herein is no mystery. It is a plain case. So much is wanting to the circulation; for persons earning only 50 cents per day, will not dig holes to bury money in the earth,—or return gold and silver, permanently, to the state in which it was before they obtained current values by mining, refining, coining, &c. The inevitable effect of this state of things, is personal distress. A rapid diminution in the actual value of all sorts of property instantly follows, because of this enormous deficiency of means to pay for its products; and the comforts of the people are miserably lessened. The "philosophers" say that the people *must* eat, *must* be clothed, &c. True—very true—the "philosophers" are right! But a whole family, in some parts of Europe, make a meal upon a sheep's head, which the decently fed dogs in our streets turn up their noses at. "If the mountain will not come to Mahomet, Mahomet must go to the mountain." If persons cannot purchase beef at 5 or 6 cents per lb. they must use coarse food, and, perhaps, live on potatoes and other easily produced roots. *A retrenchment equal to the deficiency, must ensue, as to* ALL *commodities, agricultural or manufactured.* And what is all our *foreign* commerce, (that even of England, the workshop and banker of the civilized world), compared with this *domestic* operation? "A drop in the bucket"—as an atom floating in a sun-beam. The interior commerce of the people of the United States, in its various exchanges, is worth fifty times more than the foreign one—and is always wholesome.

But, to revert to our leading subject. We have said, and think all reflecting persons will unite with us, that a destruction of the cultivation of sugar in Louisiana, &c. would reduce slave-property in the amount of 100 millions of dollars—that is, only 25 *per cent.* rating the slaves at 200 dollars each. We are speaking of a *money-matter*. But this great loss would be the beginning of evils! If slaves, at present, yield only a little profit to their owners, what would be their condition under so great a depression of value? Would they earn even their own subsistence? If not—how would they be disposed of? No one would have them, at any price, and their masters would be compelled to keep and feed them, so long as they should be able—and then—aye, what then?

How far the present duty on sugar affects its price to consumers, is a question that cannot be clearly answered. The domestic supply is now nearly two-thirds of the whole demand, and an ardent *domestic competition* is produced—which will not be checked until, as before observed, the price of sugar shall be reduced to its minimum. It may as well be attempted to change the current of the Mississippi, as to prevent capital from running into the most profitable employment for it. Indeed, we calculate that the sugar of the United States may become *an article of export*, in a few years—*if the cultivation remains protected.* The climate, or the cane, or both, shew a greater and greater fitness one to the other, every year—and the crops are not only less and less uncertain, but the region in which sugar may be made is wonderfully extended—theory giving way to practical operations. At present, the West Indians grow sugar with more apparent ease than we do—but how has it been in regard to cotton? A man would have seemed mad to have predicted, a little while ago, that we should furnish a million of bales—and sugar was a small business in Louisiana until after its cession to us. By the treasury estimates, we see that the actual cost of brown sugar imported is put down at 5½ cents; and we find, by enquiry of West India merchants, that that is rather below its average cost, on board, at Cuba: It is put down at the same sum by the Louisiana planters. There is this difference—the 5½ cents in Cuba includes the cost of hogsheads or boxes, and interior transportation, and other charges; but in Louisiana the cost of the hogsheads and such transportation, must be added. The freights are nearly the same to the Atlantic ports, and the selling price of the Louisiana sugar is about two cents more per lb. than the Cuba, exclusive of the duty. But the former is always preferred, at a higher price, in the market, by consumers, being thought stronger and better for common use, or more clean or having a more pleasant appearance. Hence it is not easy to tell how far the duty really acts as a "tax," though it may be unquestionable that it prevents the Louisiana *planters* from ruin, by checking gluts of the market, and in keeping the trade regular. The fine sugars of Jamaica, &c. are imported in very small quantities—with the duty added, their price is too high for our market. Yet it is well known that the sugar plantations of Jamaica yield hardly an interest of 3 per cent. per annum, though a *monopoly* of the market of the "mother country" is afforded to her West India colonies, by high *extra* duties upon the sugars of her own *East* India colonies, and a prohibition of the use of all others. With such facts before us, who can determine, how far a reduction, or abolition, of the duty on sugar, in the United States, by which the product of 90 millions of pounds might be annihilated, would really lessen the price of this commodity to us? Price is always regulated by scarcity and demand, and is exceedingly capricious. We esteem the bread stuffs consumed in the United States as equal to about 22,000,000 barrels of flour. Say the present price is 5 dollars. But if it be known that England will take only 500,000 barrels, or a 44th part of our own whole consumption, at a moderate duty, the price would in-

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when men are *worried*, or *forced*, out of their support of this paper—as I am well assured that many persons have been. Indeed, we are often informed, that, in certain places, it requires no small degree of *moral* courage to receive *Niles' Register*. It was fiercely assailed last year—and its circulation considerably diminished; but the loss has been regained in the present, and partly by new subscriptions from the south, and there is a hope that its publication will not yet be *nullified*.—Until it is, *I shall endeavor to do my duty;* the friends of the system will do theirs.

stantly rise to 6, if not 7, dollars per barrel—say only six dollars; the 500,000 barrels then, for the foreign demand, would by worth three millions—but the selling price of the 21½ millions left for consumption, would be advanced twenty-one and a half millions! We say, being friends of the "American System"—and high prices, *when they rest among ourselves*, (to add to the *home circulation* of value), that such an event would be exceedingly desirable; *but, if the theory of the anti-tariff "philosophers" holds good—the people of the U. States would suffer, in the* CONSUMPTION OF A VALUE EQUAL TO 21½ MILLIONS OF DOLLARS, BECAUSE OF A NEW DEMAND FOR THREE MILLIONS WORTH OF THEIR FLOUR! Who can refrain laughter at such a miserable theory—fit for "babes and sucklings"—but totally at war with *common sense*. The general proposition is undeniably true, and no respectable man will contest it.* The whole then reverts to this—that price depends on means, both being measured by the same value—and value rests upon necessity or choice. We have said, that diamonds, of like size, might be advantageously exchanged for potatoes—but in other cases, millions of bushels of potatoes may be given for a single diamond, that one might grasp in his hand. Price is conventional—a thing of emergency, or accidental. We have seen the time when *ten* silver dollars would purchase *thirteen* in notes of the banks of Baltimore—yet the latter finally produced thirteen silver dollars. We have seen bills of exchange on England 20 per cent. below par, and 20 per cent. above par, or a variation of 40 per cent. The people of the United States, *who fed and clothed themselves*, were affected by these great changes only in the selling value of their *surpluses*—and the money-amount of these surpluses was measured by the prices of other commodities that they were *pleased* to purchase, so that, perhaps, as regulated by labor, there was not any difference in the real values obtained at the highest depreciation or appreciation of exchanges on England. Price then, to say the most of it, is merely *contingent* on other far more important considerations.

*If a fresh demand for a million of barrels were made, which would considerably exceed the surplus of the last crop of wheat, the price of flour could not be less than ten dollars the barrel. All other bread stuffs would rise in the same proportion. *Potatoes* have always been dear in the United States, when flour had its high prices, because of increased demand for potatoes. Then the subsistence of the people would have a duplicated value, or, in the language of the "philosophers" cost 105 extra millions of dollars, because of the export of ten millions worth. What an "oppression" would be here—what a terrible "tariff" would operate!—But when flour was at *fifteen* dollars per barrel, because of a lively foreign demand, the poor people did not feel themselves burthened more than now! Indeed, because of the requisitions upon their labor, and the high prices paid for it, they could better afford to pay 15 dollars then, than 5 at present. The price of flour does not actually regulate that of other commodities, but has a material effect on the current value of all things,—the planting, as well as in the grain-growing states, the price of corn rising as that of wheat rises.

Now on the other side. The price of cotton is mainly affected by the foreign demand, but the principle of its value is the same as that of flour. Say, the cultivation of sugar in Louisiana is destroyed, and an additional quantity of fifty millions of pounds of cotton is thrown into the market. A great reduction in the value of every pound supplied must follow. The laws of trade will not cease their operation, for the accommodation of the cotton planters!

Again. The domestic manufacture of cotton, takes off about 150,000 bales, or 45,000,000 lbs.—say one-sixth of our product. If this manufacture were stopped, the whole value of the 150,000 bales would be lost to the planters, in *reduced* prices. Further—the value of cotton is increased, on an average, about five times, by labor expended on its manufacture. The 150,000 bales, were worth $4,500,000; if exported and returned to us in goods, would be worth 22,500,000 dollars, at least—and it would require nearly the whole crop to pay for the coarse or most common manufactures of cotton, needed by the people of the United States!

We shall notice one of the leading facts made known by the committee of the Baton Rouge agricultural society, and conclude. It seems that the *whole* cost of clothing 80 full hands is only 1,200 dollars a year—that is, 15 dollars for each person. Now what is the "tax" upon this clothing?—all sorts of cotton goods, shoes and hats for them, so far as are given, are cheaper, if made in the United States, than to be obtained by the people of Europe from their own factories, so there cannot be any "tax" upon them, because the importation is "prohibited," as anti-tariffites say. Where then lies the "oppression?" If on about three yards of negro cloth, for each, which, though higher than it would be because of the silly *tax* on coarse wool, will cost not more than 225 cents. The *cloth* is worth something, but if the whole cost of it be a "tax," by the same rule, every slave using it, will have a "bounty" of 15 dollars on the sugar, and 5 25 on the molasses, that he annually makes; or, be a gainer for his owner, *because of the tariff*, in the sum of 18 dollars a year, though the woollen cloth had been made a free gift from England! But it must be admitted, we think, that some taxes are necessary for the support of government! Some, however, do not think of that!

LIVE OAK PLANTATIONS.

From the "Floridian."

Report of the overseer, of the number of and description of live oak cleared from other growth, at Deer Point, for the quarter ending the 18th of October, 1829.

Full grown trees,	110	
Six inches and over,	629	
Between two and six,	11,536	
Two inches and under,	7,697	
Total number,		19,972

Report of the number of live oak cleared, during the *first part* of the 4th quarter, for the year ending 18th of January, 1829—according to *estimate*.

Full grown,	20	
Six inches and over,	300	
Between two and six,	8,000	
Two inches and under,	4,000	
Total		12,320

Summary of labor done in clearing and pruning the live oak, for the year ending the 18th of January, 1829.

For the quarter ending the 18th of April.		
Full grown trees,	173	
Six inches and over,	426	
Between two and seven,	11,635	
Two inches and under,	9,968	
		22,202
Quarter ending 18th July.		
Full grown trees,	40	
Six inches and over	977	
Between two and six inches	15,656	
Two inches and under,	5,629	
		22,313
Total number for the year		76,807

The foregoing exhibits the progress in clearing the live oak, for the quarter ending the 18th of October, 1829, together with a separate report of the *first* part of the fourth and last quarter. The whole number of trees pruned and cleared since the commencement of the work, amounts to 76,807, and which will allow fifteen or twenty thousand, for thinning and transplanting in places that are deficient, which does not often occur, as the live oak is the spontaneous growth, where every thing else is cut away. The plantation may now be considered as containing *sixty thousand trees*, allowing each tree a sufficient space. The whole forms a border of *eight miles* in length, on the sound and bay, varying from fifty to three yards in width. The brush heaps have sunk considerably, but the young sprouts from the water oak, hickory and bay, have sprung up to the height of six feet in the first clearing, and in proportion, in the other clearings. The trees pruned have throve beyond my expectation; they set forth vigorous and healthy shoots, several feet in length—but it will require the labor of at least *ten hands* the next year, to sprout and prune, and take care of that which has been done; these may also clear the remainder of the thrifty border, say twenty thousand trees, and commence the plantation in the grassy pine woods. The third year, five hands will suffice.

For the two months remaining of the present year, the hands will be engaged in clearing and grubbing about one hundred acres of the live oak shrub patch, for the purpose of enabling us to ascertain whether the growth will not equal that of the borders. They will all also be employed in perfecting and making additional protecting roads, which altogether will amount to about seven miles. There are many detached spots of thrifty young live oak, besides those of the boders, which induces me to think, that there is no difference in the soil, but that the difference has been made by fires breaking in from the *long-leafed* pine woods: there are also extensive groves of short leaved pine, extending across from the bay, already well set with live oak; and it is well set with live oak; and it is well known, that the destruction of

this kind of timber, is immediately followed by the growth of live oak. Whether there is an absolute difference in the soil of the long-leafed pine woods, from that in the live oak hammocks, I am not able to say: but there is no doubt, that the *short-leafed* pine uniformly indicates the soil is adapted to the live oak.

There is on the ground, several thousand cords of excellent fire-wood, which might be cut up, and delivered on the beach for about one dollar and fifty cents a cord. I have no doubt, there would be a considerable saving to the navy, to direct the supply of fuel to be delivered from this point.

The hands will also be engaged in enclosing with post and rail the eight acres that have been cleared and grubbed for a nursery, and where I intend to plant at least three or four barrels of acorns, in drills six feet apart. S. DAVIS.

December 1st, 1829.

COTTON CROP OF THE UNITED STATES

For the year 1829, as exhibited in the business of the year ending on the 31st of September, 1830.—Compiled from the New York Shipping and Commercial List. [Stated in bales.]

From	Exported to foreign ports.	Exported coastwise.	Imported coastwise.	Stock Oct. 1st, 1830.	Stock Oct. 1st, 1829.	Actual crop.	Crop last year.
New Orleans	295,774	56,115	9,616	9,505	5,557	354,024*	260,314
Florida	—	5,787	—	—	—	5,787	4,146
Alabama	61,223	41,702	—	140	481	102,684	79,904
Georgia	151,239	99,479	—	6,100	3,701	253,117	246,000
S. Carolina	182,172	30,707	23,591	3,906	4,323	188,871	195,365
N. Carolina	3,324	43,538	—	1,000	1,000	36,862	40,515
Virginia	28,753	8,000	—	247	1,500	35,500	31,500
Total	722,585	285,328	33,207	20,898	16,562	976,845	857,744
The crop of the year just closed exceeds that before it by							119,101
							976,845

SUMMARY OF FOREIGN EXPORTS.

From	To G. Britain.	To France.	Oth. p. Europe.	Total.
New Orleans	196,392	93,446	5,436	295,774
Alabama	43,165	9,972	8,136	61,323
Georgia	117,939	27,278	3,600	148,817
South Carolina	134,820	36,119	11,233	182,172
North Carolina	2,439	975		3,324
Virginia	32,274	6,309	178	28,753
New York	73,596	26,642	12,844	113,082
Philadelphia	2,256	50	56	2,362
Boston			687	687
Oth. ports (Darien)	2,422			2,422
Grand total	595,713	200,791	42,212	838,716
Total last year	498,001	184,821	66,178	749,000
Increase	97,712	15,970		89,716
Decrease			23,966	

Growth. Consump. of the U. S.

Total crop of 1824-5	560,000 bales.	
Do. 1825-6	710,000	
Do. 1826-7	937,000	103,483 bales.
Do. 1827-8	712,000	120,593
Do. 1828-9	857,744	104,853
Do. 1829 30	975,845	126,812

Consumption.

To estimate the quantity manufactured in the U. States we take the growth of the past year 976,845 bales.

Add—Stocks on hand in the southern ports at the commencement of the year (1st Oct. 1829)		16,562—993,407
Deduct therefrom—The export to foreign ports	838,716	
Stocks on hand in southern ports at the close of the year, (1st Oct. 1830)	20,898	
Destroyed at New Orleans	7,803	
	867,417	
Less—Amount of foreign cotton included in export from New York		522—866,895
Assuming that the quantity on hand in the northern ports on the 1st October, was the same as last year, it results that the consumption was		126,152

*Including 7,250 lb. burned and 553 otherwise destroyed.

Note.—In regard to the consumption of cotton in 1827-8, it may be remarked, that the quantity on hand in the manufacturing districts, at the close of that year, was much greater than usual, which will account for the apparent falling off in the succeeding year. We remark, also, that the consumption as above does not include any cotton manufactured in the cotton-growing states.

[The quantity of cotton exported to foreign places, we suppose, may be taken as correct—but we regard it as extremely difficult, if not impossible, in the present state of things, to ascertain the domestic consumption.

ED. REG.]

GOVERNOR OF OHIO.

From the State Journal.

The following is a statement of the votes given for governor at the late election, in the several counties in this state, with the exception of five, which still remain to be heard from, but will not alter the result. We add the votes given the Jackson and Adams ticket, at the presidential election in 1828, at the suggestion of a distant friend:

	1830.		1828.	
	McArthur.	*Lucas.*	*Jackson.*	*Adams.*
Adams	367	783	1,327	373
Ashtabula	690	31	179	1,936
Athens	525	328	482	833
Butler	825	1,490	3,239	953
Belmont	1,822	1,468	2,183	2,162
Brown	863	1,206	1,630	703
Clermont	933	1,174	2,031	1,002
Clinton	590	803	715	1,007
Champaign	872	509	595	1,048
Columbiana	1,417	1,689	2,431	2,163
Coshocton	840	535	1,031	574
Cuyahoga	855	338	320	1,269
Clark	849	364	637	1,254
Crawford	109	355	322	210
Dark			571	190
Delaware	760	381	472	868
Franklin	974	845	868	1,155
Fayette	436	659	627	533
Fairfield	1,035	1,799	2,606	1,131
Green	617	727	964	1,197
Guernsey	923	762	1,259	1,204
Geauga	1,321	421	347	2,135
Gallia	571	331	439	746
Hamilton	2,916	3,322	4,917	2,710
Highland	423	1,191	991	858
Harrison	927	1,096	1,594	1,422
Huron	1,012	431	583	1,241
Hocking	103	290	293	213
Hancock			49	32
Holmes	254	804	863	234
Jefferson	1,365	1,663	1,933	1,556
Jackson	292	319	890	389
Knox	1,093	903	1,598	736
Licking	1,977	1,224	1,826	1,040
Lorain	493	221	153	595
Lawrence	335	236	282	306
Logan	524	342	275	515
Montgomery	1,504	1,204	1,754	1,709
Miami	737	732	764	1,039
Madison	291	382	435	424
Muskingum	1,665	1,850	2,151	2,184
Monroe			741	297
Medina	588	124	160	803
Morgan	587	554	840	697
Meigs	536	189	306	579
Marion	262	321	320	254
Mercer			111	72
Preble	1,405	324	895	1,113
Pike	136	394	487	242
Pickaway	846	1,124	1,536	1,139
Portage	1,562	625	855	2,107
Perry	657	1,091	1,308	640
Ross	1,387	1,204	1,780	1,951
Richland	1,107	1,328	1,805	1,283
Scioto	603	404	465	685
Stark	1,114	1,141	1,770	1,308
Seneca	321	324	242	353
Shelby	244	189	273	193
Sandusky	181	141	118	206
Tuscarawas	825	766	1,041	881
Trumbull	1,742	1,346	1,590	2,521
Union			194	181
Warren	1,122	1,118	1,797	1,835
Washington	770	645	695	1,086
Wayne	682	1,247	2,045	925
Wood	134	24	46	121
Williams	92	61	50	76
Total	50,382	47,982	67,596	63,456

LIVERPOOL AND MANCHESTER RAILWAY.

From the Liverpool Mercury, Sept. 17.

As that important and stupendous undertaking, the Liverpool and Manchester railroad, is now completed for all commercial, agricultural, and travelling purposes, and only requires a few finishing touches, a compendious history of its progress, from the time of its first projection down to the present period, may not be deemed unacceptable by our readers. Such a compedium will form a very appropriate preface to the account of the grand opening of the railway on Wednesday last, and we have, therefore, with some care and trouble, prepared the following compilation from various sources, but principally from a work recently published by H. Booth, esq. treasurer to the Liverpool and Manchester railway company, containing a full history of every thing connected with the railway, together with much miscellaneous information, which will be found highly useful to persons embarked or about to embark in similar undertakings, to the mechanic and the man of science, and also to the general reader. To this work, we refer those who wish for fuller information than can be contained within the limits of a newspaper, and we lay the following compendium before those who will be contented with a more succinct account of this great national undertaking.

There is scarcely any thing which contributes more to the welfare and prosperity of a nation, and especially of a commercial one, than a facility of intercourse between the towns and provinces of which it is composed, and an attention to the improvement and extension of this intercourse has, therefore, almost universally, been a principal characteristic of every good and wise government. It would carry us too far from our present object, to estimate the share which the improvement of the roads and the formation of canals have had in causing the great increase in the commerce and wealth of Great Britain which has taken place within the last century, but as railways are calculated to supersede canals in a great degree, we shall just glance at the formation of those by which the greatest part of the merchandise imported into Liverpool has been conveyed to Manchester for the last one hundred years, at their defects and inconveniences, and at the circumstances which rendered an improved mode of conveyance necessary, if not indispensable, to carry on the increased business of the port. The two water communications by which goods have hitherto been principally conveyed between Liverpool and Manchester, are the Mersey and Irwell navigation, consisting alternately of the two rivers Mersey and Irwell and canals, and the duke of Bridgewater's canal. The act of parliament incorporating the old quay company for the formation of the former was obtained in 1733; that for the duke's canal was procured in 1760; and the increase in the intercourse between the two towns, and the necessity of increased means of conveyance, were the principal grounds on which it was sought and obtained. If a second canal were then necessary for these reasons, a glance at the following facts will show that a third mode of conveyance was still more necessary at the time when a rail road between the two towns was first projected, and subsequently to that period: In 1760, 2,560 vessels paid dock duties at Liverpool; in 1824, 10,000; and in 1829, 11,383: in 1760, the population of Liverpool was 26,000; in 1824, 135,000; the population of Manchester being in 1760, 22,000; in 1824, 135,000: in 1784, 8 bags of cotton were imported into Liverpool from America; in 1824, 409,670 bags, and in 1829, 640,998: the first steam-engine was set up in Manchester in 1790; in 1824, there were 200 steam-engines there; in 1814 there was not one power-loom in Manchester; in 1824 there were 30,000; in 1824 the average quantity of raw and manufactured goods transmitted between the two towns was 1,000 tons daily, and it now amounts to 1,300 tons, about 1,000 of which pass from Liverpool to Manchester, and 300 from Manchester to Liverpool. This immense amount of traffic has hitherto been subjected to all the delays and injuries attendant on canals, which in summer are often rendered inefficient from the want of an adequate supply of water, and in winter are frequently stopped, for weeks together, by the frost. By the canals, goods have first to be shipped at Liverpool, then conveyed up the river to Runcorn, a distance of 20 miles, subject to the danger of loss and injury from tempestuous weather and a dangerous and intricate navigation, and then to be forwarded by canals to Manchester, making the whole distance between the towns nearly 50 miles. The average length of the passage was thirty-six hours, and the cost 15s. per ton. There was no adequate protection for the goods thus conveyed, against petty thefts and pilferings by the way. From the causes mentioned, there have been instances of goods which had come from New York to Liverpool in twenty-one days, being a longer time on the way from Liverpool to Manchester, than from America to Liverpool. The canals, however, were originally a great improvement on the old mode of conveyance, and such was the increase, in their value to the proprietors, consequent on the increase of the intercourse between the two towns, that the shares which were originally bought for £70, have been sold for £1,250 each. The delays and expense attending the transmission of goods by the canals, caused the merchants of Liverpool to turn their attention to some improved mode of conveyance. In 1824, Mr. Sanders, to whom a rail road had previously been suggested, as mentioned below, published a pamphlet, in which he stated that merchants, spinners and others, were frequently obliged to cart their goods on the high road, a distance of thirty-six miles, at an expense four times as great as it would be on a rail road; and, at the same time, one hundred and fifty merchants of Liverpool signed a declaration that the existing modes of conveyance were totally inadequate to the wants of the community, and that an improved system was a matter of absolute necessity.

It will now be necessary to say a few words on the rail roads, or substitutes for them, in their improved shape, existing previously to the first projection of one between Liverpool and Manchester. Rude team roads, constructed of wood, were in use in different parts of England nearly two centuries ago; iron was then substituted for wood, but it was long before the present improved mode of constructing and laying the rails was adopted. During the last quarter of a century, many private rail roads of small extent, principally in the neighborhood of New Castle upon Tyne and Sunderland, have been constructed, for the purpose of conveying coals, from the extensive colleries in that district, to the wharves of the rivers Tyne and Wear, for the purpose of exportation. The first rail road established by the act of parliament was the Stockton and Darlington, extending from Whitton Park colleries, in Durham, to Stockton upon Tees, a distance of twenty-five miles. The act was obtained, after considerable opposition from the land owners on the line of road, in 1823, and the road was opened in September, 1825. It consists of a single line of rails, with sidings, every quarter of a mile, for carriages to pass each other; it is principally used for the conveyance of coals and travellers, of whom there are from 300 to 400 weekly. We now come to the first projection of the Liverpool and Manchester railway.

In the year 1822, Mr. James, engineer, of London, having seen the rail roads in the neighborhood of New Castle upon Tyne in operation, conceived the idea that rail roads might be made applicable to general commercial purposes, and suggested to Mr. Sanders the propriety of forming one between Liverpool

and Manchester. Mr. Sanders adopted the scheme, and caused a preliminary survey to be made between the two towns, himself guaranteeing the expense. The line surveyed was not the one ultimately adopted, and no material steps for the furtherance of the project were taken till the year 1824, when Mr. Sanders published a pamphlet on the subject, and one hundred and fifty of the merchants of Liverpool signed a declaration. Soon afterwards, a deputation, consisting of Mr. Sanders, Mr. Henry Booth, the late Mr. Lister Ellis, and Mr. Kennedy, of Manchester, was sent to inspect the Stockton and Darlington rail road, and also those in the neighborhood of New Castle upon Tyne. On their return they issued a very favorable report; it was determined to institute a company for the formation of a double rail road from Liverpool to Manchester, and, on the 29th October, 1824, the first prospectus of the company was issued. In it the expense of the undertaking was estimated at £40,000, and it was proposed to raise this sum in 400 shares of £100 each. The company undertook to convey goods from Liverpool to Manchester in four or five hours, at an expense of 10*s* per ton, by the rail road, the time occupied, in transmitting them by the canals, being generally thirty-six hours, at a charge of 15*s*. per ton. We need hardly remind our readers that, in consequence of the improvements effected in the locomotive engines, both the time to be occupied and the expense of carriage were over stated by the committee very considerably indeed. For the sake of brevity, we shall here compress into one view, a summary of the advantages proposed by the committee in their first prospectus, and in the one subsequently issued, previous to their second application to parliament, in the year 1826. These were a saving of time and money in the transmission of the 1,000 tons or more, conveyed between the two towns daily; the increase of commerce and manufactures by increased facility of intercourse; an improved channel for the conveyance of the manufactures and agricultural produce of Ireland to the populous counties of Lancashire and Yorkshire; the carriage of farming produce to the large towns, and the return of lime, manure, &c. to the farmers; speedier conveyance for travellers; and the carriage of coals to Liverpool and Manchester from the valuable mines in the vicinity of St. Helen's, the coals being then brought to Liverpool principally by canal, a distance of 30 miles; whilst, by the rail road, the distance would be less than half, and the price would be very materially reduced. In the second prospectus of the company the quantity of coals consumed, annually, in Liverpool and Manchester, is estimated at one million of tons, and they calculate that the saving, in the price of this necessary article of domestic consumption, will amount to, at least, 2*s*. per ton, or £100,000 annually, in the consumption of the two towns.

In the prospectus first issued by the company, it was proposed that the rail road should commence at the Prince's dock, and thence proceed through Vauxhall road, Bootle, Walton, Fazakerly, Croxteth, Kirby, Knowsley, Eccleston, Windle, Sutton, Haydock, Newton-in-Mackerfield, Golburn, Lowton, Leigh, Pennington, Astley, Irlam, Worsley, Eccles, Pendlebury, Salford, Hume, to Water-street, Manchester, a distance of about 33 miles—the distance by the common turnpike road being about 36 miles. On the 8th of February, the petition for a bill incorporating the company, and authorizing the formation of the road, was laid before parliament; on the 18th, the bill was read a first time; the second reading took place on the 2d of March; but, on the motion for the third reading, in consequence of the strenuous opposition of the canal proprietors, and of the earls of Derby and Sefton, whose domains were crossed by the proposed line of road, the first clause of the bill was rejected by a majority of 19 to 13, and the bill was subsequently withdrawn by the parliamentary agent of the company. The principal objections advanced by the opponents to the measure were, that rivers and canals were perfectly adequate to the traffic between the two towns, and that the railway was, therefore, unnecessary; that it would cost three or four times as much as the estimate; and Mr. F. Giles, a civil engineer, was produced, to record it as his opinion, that £200,000 would be insufficient for the construction of a road across Chat Moss. It was, therefore, deemed an act of kindness and mercy to prevent the proprietors from proceeding with this chimerical and impracticable scheme. It has now, however, been effected, and the road across Chat Moss, which, according to Mr. Giles, was to cost £200,000, has been constructed for considerably less than £30,000. Not discouraged by the unsuccessful issue of their first attempt, the committee, after some preliminary proceedings, resolved to bring the matter again before parliament. To neutralize the hostility of the proprietors of the duke of Bridgewater's canal, proposals were made to the marquis of Stafford, the person principally interested in the canal, to become a shareholder in the proposed railway; his lordship acceded to the proposition, and became a subscriber to the next 100 shares. A new line of road, considerably to the south of the former route, commencing from Wapping and passing under the town, by means of a tunnel, was adopted, and plans and sections were prepared by Mr. Vignoles; and, on the 26th December, 1825, the company issued a new prospectus, in which the capital proposed was £510 000, consisting of 5,100 shares, of £100 each. The improved bill was laid before the house of commons, on the 7th February, 1826; it was read a first and second time without a division, the numbers being, for the bill 88, against it 41—majority 47. The bill was read a third time in the house of lords, on the 27th April, without a division, the only opponents to the measure being the earl of Derby and the earl of Wilton. The expenses of the parliamentary proceedings, on both sides, were from 60 to £70,000, and they have been estimated at a much higher rate.

The first general meeting of the subscribers was held on the 29th of May, 1826, when twelve directors were chosen by the proprietors, to act in conjunction with three nominated by the marquis of Stafford. At the meeting of the directors on the following day, Charles Lawrence, esq. was elected chairman, and John Moss, esq. deputy chairman. At a subsequent meeting, Mr. George Stephenson was appointed principal engineer to the company. The first point of operation was Chat Moss, the draining of which was begun in June, 1826; but the cuttings and embankments were not commenced till the January following. Early in 1827, assistant engineers were appointed; a loan of £100,000 was obtained from the exchequer loan commissioners, and this, with the calls upon the subscribers, enabled the directors to proceed with their further operations with vigor and effect. In the spring of 1828, the company obtained an act for altering and improving the line of road between Sutton and Rainhill, and between Culcheth and Bury-lane, as laid down in the parliamentary plan. In the following year they obtained another act authorizing improvements at the Manchester end of the line; and another empowering them to raise an additional capital of £127,500 for the carrying department, in 5,100 shares of £25 each, each holder of £100 share to be entitled to one. It may be stated, as a proof of the estimation in which the concern was then held, that of these 5,100 additional shares, only fifteen were refused by the parties entitled to them.

We now proceed to give a description of the railway, commencing with the tunnel, one end of which is in Wapping, near the Queen's dock, and extending

under the town, nearly from west to east, to Edge-hill, a distance of rather more than a mile and a quarter. The excavation of the tunnel, and the formation of the brick archway, where required, were commenced early in 1827, and occupied the whole of that year and the greatest part of the following one. It was a service of great difficulty and danger, and, on several occasions, the miners could scarcely be persuaded to proceed with the work. In some parts, the material cut was through a fine red sandstone, and the archway was formed from the natural rock; but, in others, it consisted of loose earth and soil, and these had to be supported by shores and props, until arches of brick could be formed. Fortunately, however, the only material accident which occurred during the progress of the work, was in passing under Crawn street, near the Botanic garden, where the superincumbent mass from the surface, consisting of thirty feet of loose earth and sand, fell into the tunnel below, without producing any other ill effect than a partial retardation of the work. The accident occurred at a time when the principal engineer was absent from Liverpool. The tunnel was constructed in seven or eight separate lengths, each communicating with the surface by means of perpendicular shafts. On the 9th of June, 1828, the last joining was effected, and all serious difficulty in this branch of the undertaking was overcome. The exact joinings of the different lengths reflect great credit on the skill, ingenuity, and attention of the principal engineer, and his assistant, Mr. Locke. The tunnel, as we have already said, commences at the company's yard in Wapping. It is there accessible by an open cutting, 22 feet deep, and 46 feet wide, being space for four lines of rails, between which are pillars to support the beams and flooring of the company's warehouses, which are thrown across the excavation; from these warehouses the wagons are loaded with merchandise, and discharged by means of trap-doors, whilst the wagons loaded with lime or coals pass on to the yards adjoining. A little past the opening the tunnel is 22 feet wide and 16 feet high; the walls rise perpendicularly 5 feet, and thence springs a semi-circular arch, the radius of which is 11 feet. Its total length is 2,250 yards, or rather more than 1¼ miles. The first 270 yards from Wapping are perfectly level; in the remaining distance of 1,980 yards, there is an uniform rise of three-fourths of an inch in the yard, so that the mouth of the tunnel at Edge-hill is 123 feet higher than the Wapping end. The tunnel is white washed throughout, and lighted with gas, and the effect produced is very singular and picturesque; but the atmosphere is so cold and chill, and the vapor so thick, (at least they were so when we inspected this singular and extensive cavern,) that the mere spectator of this monument of human labor and ingenuity will generally be satisfied with one visit, and not be tempted to repeat it. On the sides of the tunnel, at short distances, are placed lettered boards, for the purpose of informing the visiter what part of the town he is then under. The distance of the roof from the surface of the ground above varies from five to seventy feet, the greatest depth being under Crabtree lane. On emerging from the tunnel at Edge-hill the passenger arrives in a spacious and noble area, forty feet below the surface of the ground, cut out from the solid rock. It is about fifty yards in length and thirty yards in width; it is of a quadrangular form, and the walls are formed principally from the solid rock. The summit is ornamented with brick work. A smaller tunnel, the mouth of which is parallel with that of the larger one, and situated to the north of it, leads to the company's premises in Crown street, the station for the railway coaches, and the depot for coals, &c. for the supply of the higher districts of the town. It is 290 yards long, 15 feet wide, 12 feet high. The entrance to the small tunnel, in Crown-street, is through a very handsome skew bridge, of stone and brick, over which the high road passes. On the south side of the main tunnel there is another small tunnel, of similar height and width with the one on the other side. It penetrates the ground but for a short distance, and is used as a workshop and tool-house.—They have the appearance of a bridge with three arches. On the surface of the ground, above the mouths of the tunnels, are built two lofty chimneys, in the forms of columns, with handsome capitals; they are upwards of 100 feet in height, unique specimens of brick work, and have an elegant and picturesque appearance. In the area below are two stationary engines to draw up the loaded wagons from the bottom of the inclined plane at Wapping. The tunnel account amounted to £34,791 4*s.* 9*d.* and there was paid, as compensation for damage done to different houses and buildings in the town, and in purchasing some of them, £9,977 5*s.* 7*d.* making a total expense of £44,768 10*s.* 4*d.* The rails used on the road are made of forged iron, in lengths of five yards each, and weigh thirty-five pounds per yard. Every three feet the rails rest on blocks of stone, let into the ground, containing each nearly four cubic feet. Into each block, two holes, six inches deep and one inch in diameter, are drilled; into these are driven oak plugs, and the cast iron chairs, or pedestals, into which the rails are immediately fitted, are firmly spiked down to the plugs, forming a structure of great solidity and strength. On the embankments, where the road may be expected to subside a little, the rails are laid on oak sleepers. For eighteen miles of the road the rails are placed on stone blocks, and for the other thirteen on sleepers. The double line of rails for the carriages are laid down with mathematical correctness, and consist of four equidistant rails, four feet eight inches apart, about two inches in breadth, and rising about an inch above the surface. A short distance from the tunnel, is a handsome Moorish archway, from a design by Mr. Foster, which connects the two engine houses on the opposite sides of the area, and the whole has a handsome and pleasing effect. About half a mile further on, the rail road crosses Wavertree lane, and there is then a descent for five miles and a half, at the rate of 1 in 1,830, or four feet in the mile. A little beyond Wavertree lane, it is carried through a deep marl cutting, crossed by five handsome bridges for the convenience of passage from the opposite sides of the cutting above. About half a mile to the north of Wavertree, at Olive Mount, there is an excavation through the solid rock, seventy feet below the surface, and two miles in length. The road here little more than barely sufficient for two carriages to pass. The excavation is crossed by several bridges, and the view, both from above and below, is striking and picturesque. The road is then carried, by means of a great embankment, varying from 15 to 45 in height, and from 60 to 135 feet in breadth at the base, across a valley at Roby, or Broad Green, two miles in length. It then crosses the Huyton turnpike road a little past Roby; six and a quarter miles from Liverpool, there is a junction railway for the conveyance of coals from the neighboring mines on the right; and at a distance of seven or eight miles from the Liverpool station, it comes to the Whiston inclined plane, which is one and a half miles long, and rises about 1 in 96. It is crossed by a bridge, of stone and brick, of forty-seven feet span, and built with a very remarkable skew. There is here a stationary engine to assist the carriages in their ascent. For nearly two miles the road is then on an exact level. It was on this part of the road that the contest of locomotive carriages, for the premium of £500, offered by the company, took place in October last, the brilliant result of which determined the directors to make use of loco-

motive engines instead of stationary ones. On that occasion the Rocket engine, manufactured by Messrs. Stephenson, weighing 4 tons 5 cwt. dragged after her three times her own weight, or 12 tons 15 cwt. weight, performed the stipulated distance of seventy miles in less than six and a half hours, proceeding frequently at the rate of eighteen miles an hour, and occasionally twenty miles an hour. The experiment was made under very unfavorable circumstances, as, in performing each trip of two miles, the engine had to stop, and it was, of course, some time before it could regain its former impetus. About half a mile from Whiston plane, at Rain-hill, the Liverpool and Manchester turnpike road crosses the railway, at an angle of 34 degrees, by means of a very beautiful and massive bridge, built diagonally, on what is commonly called the skew principle; the span of the arch is fifty-four feet, whilst the railway underneath, from wall to wall, is only thirty feet, each face of the arch being forty-five feet beyond the square. The bridge has a very singular and beautiful appearance; there is a similar bridge at Eccles, and there are sixteen others of smaller dimensions on the road. On leaving the level at Rain-hill, the railway crosses the Sutton inclined plane, which is of the same extent as that at Whiston, and descends in the same proportion that the other rises. There is here another stationary engine. A little beyond Rain-hill several collieries communicate with the road by means of railways, and the Runcorn Gap railway will here cross the line to St. Helen's. The next object of interest is Parr Moss, the road over which is formed principally of the clay and stone dug out of the Sutton inclined plane, and extends about three quarters of a mile. The moss was originally about twenty feet deep, and the embankment across it is nearly twenty-five feet high, though only four or five feet now appears above the surface, the rest having sunk below it. The road is then carried over the valley of Sankey, by means of a massive and handsome viaduct; consisting of nine arches, of fifty feet span each; the height of the parapet being seventy feet above the Sankey canal, in the valley beneath. The viaduct is built principally of brick, with stone facings, and the foundations rest on piles of from 20 to 30 feet in length, driven into the ground. The breadth of the railway between the parapets is twenty five feet. The viaduct is approached by a stupendous embankment, formed principally of the clay dug from the high lands surrounding the valley. The appearance of the vessels sailing in the canal, seventy feet beneath the viaduct, has a romantic and striking effect. It is situated about fourteen and a half miles from Liverpool. The expense was £15,208 18*s.* 6*d.* A little to the south of the town of Newton the railway crosses a narrow valley, by the short but lofty embankment of Sandy Mains, and a handsome bridge of four arches, each forty feet span, under one of which passes the Newton and Warrington turnpike road. The Wigan and Newton branch here enters the railway. A few miles beyond Newton is the great Kenyon excavation, from which above 800,000 cubic yards of clay and sand were dug out. The Kenyon and Leigh junction railway here joins the Liverpool and Manchester line, and, as it also joins the Bolton and Leigh line, brings into a direct communication Liverpool and Bolton. The Liverpool and Manchester railway then passes successively under three handsome bridges, and, a little beyond Culcheth, over the Brosely embankment, which is about one and a half miles in length, and from eighteen to twenty feet in height. It then passes over Bury lane, and the small river Gless, or Glazebrook, and arrives at Chat Moss. This is a huge bog, comprising an area of about twelve square miles, so soft that cattle cannot walk over it, and in many parts so fluid, that an iron rod laid on the surface would sink to the bottom by the effect of its own gravity. It is from ten to thirty-five deep, and the bottom is composed of clay and sand. It was accounted by some an impossibility to carry the road across this huge bog; but, by ingenuity and perseverance, the work has been effected, and a firm road is now carried across the moss. Hurdles, of brushwood and heath, are placed under the wooden sleepers supporting the rails, over the greatest part of the moss, and the road may be said to float on the surface. The most difficult part was on the eastern border, extending about half a mile, where an embankment of twenty feet in height was made, and many thousand cubic feet of earth sunk into the moss and disappeared before the line of road approached the proposed level. At length, however, it became consolidated; in 1829, one railway was laid over the whole moss, and on the 1st of January, 1830, the Rocket steam engine, with a carriage and passengers, passed over it. The line extends across the moss, a distance of about four miles and three quarters, and the road is not inferior to any other part of the railway. The work was completed at an expense of £27,719 11*s.* 10*d.* On leaving Chat Moss, the road passes over the lowlands at Barton, extending about a mile between the moss and Worsley canal, by means of an embankment; it is carried over the canal by a neat stone viaduct of two arches; it then proceeds through Eccles and a portion of Salford, under six bridges; it is carried over the Irwell by a handsome stone bridge of sixty-three feet span, thirty feet from the water, and then over twenty-two brick arches, and a bridge over Water-street, to the company's station in Water-street, Manchester, a distance of thirty-one miles from the Liverpool station. The railway is there on a level with the second story of the company's warehouses. On the line between Liverpool and Manchester there are besides culverts and foot bridges, sixty-three bridges, of which thirty pass under the turnpike road, twenty-eight over it, four over brooks, &c. and one over the river Irwell. There are twenty-two of brick, seventeen of wood and brick, eleven of brick and stone, eleven of wood, and two of stone and wood, at a total expense of £99,065 11*s* 9*d.*

From the top of the Liverpool tunnel to Manchester, with the exception of two inclined planes at Rain-hill, (one ascending and the other descending, at an inclination of 1 in 96, and where some assistant power must be used,) there is no greater inclination than in 1 in 880; and since the advantage on the descending side will nearly counterbalance the disadvantage in ascending so gradual slope, the railway may be regarded, for practical purposes, as nearly horizontal. The rails at the mouth of the tunnel, at Edge-hill, are forty-six feet above the rails at the Manchester end of the line.

Along the line, there are at every mile and quarter of a mile, posts showing the distance from Liverpool to Manchester. The charge of freight for goods, and the fares of passengers, have not yet been fixed. It is supposed that at first the fares for passengers by the covered coaches will be 6*s.* and the inferior, or out-side ones, 3*s.* 6*d.*

In the formation of the railway there have been dug out of the different excavations, upwards of three millions of cubic yards of stone, clay, and soil, and the weight of the double lines of rail laid down is more than 4,000 tons. The total expenditure of the company, in actual payments, up to 31st of May last, was £739,165 5*s.*; and the directors, in their report of March last state, that, for the finishing of the work, wallings, fences, warehouses, &c. a further sum of £80,834 15*s.* will be necessary, thus making the whole sum expended on this magnificent and national undertaking £820,000, or more than double the estimate made in the first prospectus of the company

NILES' WEEKLY REGISTER.

FOURTH SERIES. No. 14—VOL. III.] BALTIMORE, NOV. 27, 1830. [VOL. XXXIX. WHOLE No. 1002.

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT $5 PER ANNUM, PAYABLE IN ADVANCE.

☞We have nearly prepared for the press, with a view to its publication next week, a rather long essay on the CIRCULATION OF VALUES—or, concerning those operations, which, in common phrase, make money "plenty" or "scarce"—and which, we think, will present some new *practical* views of "political economy," to many of our readers—and lead them into a consideration of *causes and effects*, as applicable to the condition of society. We have a constant desire to condense our speculations, as well as facts—to offer them in shapes least oppressive on the time or attention of our friends; but it is better, perhaps, on such subjects, to be liable to the charge of tediousness, than that of obscurity—for our leading purpose is to be *understood*; as BUFFON said on a memorable occasion, when charged with repetition. Many results are manifest, though the causes of them are not appreciated—and a large portion of the people enjoy prosperity, or mourn in adversity, without reflecting *why* either exists—that the one may be secured, or the other avoided, in future times. We affect no superior power—no richly-gifted mind or accomplished manner, to enlighten the people—the "*working people*," most interested in these considerations,—but contend that the "science of political economy," as it is called, long locked up in the closets of emaciated "trimmers of the midnight lamp," like the mysteries of Isis or Eleusis,—is comprehensible by, and should be rendered as familiar to, the common laborer employed on roads and canals, in digging a cellar or clearing out a ditch, as to the *politician*, wrapped up in his own dignity, and speaking oracularly, as though the fate of empires depended on a free expression of his thoughts!

Our purpose is, to write for and speak to *the people*—not the learned and the wealthy, rejecting our plain language or indifferent as to its effect, being themselves well provided for—but the *free laboring people*, like ourselves, struggling to get a little forward in the world, and educate their children, &c. And we cannot see why every reading man may not fully comprehend all the *primary operations* of a sound political economy, in which every man is so deeply interested. It has been our endeavor to drive the Pythia from her tripod, and encourage the simplicity of truth, in recurring to original principles, supported by practical results. If a person earns one dollar more or less in a week than he has been accustomed to receive, it is his duty to ascertain the cause of it, that the extra profit may be secured or the loss retrieved; and we hope that the essay now about to be submitted, will give a new direction to the thoughts of some of the different parties to the great contest now going on—whether "the consumer shall be placed by the side of the producer"—or the *market* remain afar off. That to the first is owing the prosperity of certain districts in the United States—and to the second the much complained of distress in others, we cannot doubt—though neither is dependent upon, or affected by, the other, to any considerable extent. The rapid "circulation of values" gives life and spirit to all persons and things, and renders money "plenty" or cheap; and the reverse ensues in reversed circumstances. There is an old saying, that "nimble six pence is better than a slow shilling"—and, if we can make the people believe *that*, we shall encourage the friends of the "American System" to perseverance, and soften down the temper of our opponents, if we cannot induce them also to think and act with us. There is no mystery in this subject—but the people have not thought much about it.—They have rejoiced in prosperity, and mourned in adversity, as though the *present* was all that concerned them and their children. We would that they may reflect.

NEWSPAPERS. We notice the recent establishment of several very respectable newspapers, favorable to the great cause which we have zealously supported for many years past; and others, hitherto lukewarm, if not opposed, have been roused into a sense of the immense importance of the "American System," to the comfort and prosperity of the people of the United States, and a perfect establishment of the national independence.—We are certain, that the *reason* of this system is better and better understood; and satisfied, that, if persevered in a little longer, even the inflamed south will "give up" its suicidal opposition to its own best interests. But vigilance, always a republican virtue, is specially necessary at this particular time. We have reached a "momentous crisis"—not such as Mr. Ritchie hitherto discovered every day, but one that has a reality in it, and by which the embarrassment or destruction of the system will ensue, or its full success be accomplished. It being foreseen that the next census will give a much increased power to what are the present tariff states, the opposition will strain every nerve to check that power *in advance*.

Among the new papers that we have been well pleased to see, is the "*Kanawha Banner*"—a very neat, dignified, intelligent and manly periodical, issued at Charlestown, Kanawha county, Virginia. It is ably devoted to internal improvements and domestic industry—as are, indeed, a large majority of the enlightened and worthy, laborious and thrifty, *people* of western Virginia—and, as their numbers are rapidly increasing, their weight must soon be felt. Let those rally round this "Banner," and support it—so far as they can, without withdrawing the assistance hitherto extended to old friends—and that they will find both pleasure and profit in doing so, we cannot doubt. Without particular reference to this publication, it is manifest, that landholders, and merchants, and all the laboring classes, have an immediate interest in the support of respectable newspapers—in the *character* which they give to their neighborhoods, in communicating useful information, in bringing out, or proclaiming, the sectional or other advantages possessed—in giving new values to all sorts of property, and encouraging every kind of production, whether of the farmer, mechanic, or manufacturer. To say nothing of mental improvement or the gratification of a wholesome curiosity, we have long thought that newspaper establishments were worth, in a *pecuniary* point of view only, ten times their cost to the neighborhoods in which they were located, by the knowledge of *business* acquired through them, and which cannot be otherwise conveniently obtained.

We also observe that Wilkins Tannehill, esq. a well educated and intelligent gentleman, is about to publish a new paper at Nashville, Tennessee, to be entitled the "Herald," openly for the support of the "American System"—internal improvement and domestic manufactures; and we cannot do otherwise than believe that these great interests will be urged with much dignity and power. Mr. Tannehill, in his prospectus, says, that he hopes a sufficient regard for his own reputation, will forbid the insertion of mad effusions or vulgar abuse—to both which, indeed, the press has been too much subjected. It has been extensively cast into the hands of *mere* political adventurers, outraging public decency, in the hope of advancing their own pretensions to obtain, or hold, offices of profit or honor; and the misery is, that some who ought to serve as examples, in appealing to the reason of men instead of their passion, are so habitual in misrepresentation and vulgarity, as to depreciate the general character of the American people—for many follow their leadings, through all the dirt and mire of juggling *personal* politics—ink-blacking "Vicars of Bray."

A NUISANCE. We are very frequently presented at the post-office with printed circular letters, on various

subjects, and of no personal interest to ourselves.—These are generally refused, and always so, unless taken out ignorantly, when we are taxed with letter postage, which we cannot think is *just*, even if the matter suggested is of a public and praise-worthy nature: when of a private character, the proceeding is—not clever.

CHESAPEAKE AND OHIO CANAL. An interesting experiment has been made on passing a boat through 16 locks, of eight feet lift, on the part of this canal which is finished, and which shews much improvement in their construction. The lifts were made in less than three minutes each, without any extra advantages. The passage through one lock was made in 2½ minutes. The boat was 11 feet 8 inches wide and 75 feet long, being three feet narrower and fifteen shorter, than may be admitted into the locks.

THE GREAT OHIO CANAL. One hundred and seventy-six miles of this canal is now in successful operation, and a large business is transacting upon it, in wheat, pot and pearl ashes, and other produce, exported. The trade is chiefly to New York, and *Canada*, via the Welland canal—at present. The making of the Baltimore and Ohio rail road will turn it south, because of much greater expedition and cheapness of transportation.

ASCENT OF THE FALLS OF NIAGARA!—and not by "brigs of a peculiar construction" the frames of which were to have been sent from England early in the late war!

The schooner Winebago, captain Bill, has made a voyage from Oswego, on Lake Ontario, in the state of New York, to Cleaveland, in Ohio, on Lake Erie, with a cargo of salt and merchandise, and returned with a full cargo of wheat. She did not ascend the Falls of Niagara, but, by the Welland canal, ascended and descended from the level of one lake to that of the other, the difference of elevation being 320 feet. She passed the canal without difficulty, drawing 7 feet 2 inches of water. The canal is not quite finished, but when finished will have a foot more of water, which will be abundantly sufficient for sloops navigating the lakes. Oswego is 150 miles from Albany canal navigation. Buffalo, on the Erie, is 360 miles distant.

THE WEATHER. It is now, (November 25), we think nearly three weeks since we had one clear day. The complaint last summer was universal about the heat; it is now as much so on account of wet. The sun, for many days together, did not make his appearance, and some said that we had obtained the November climate of England! The present is, generally, about the most agreeable season of the year.

The prevalence of strong easterly winds, with the fogs, has materially affected the ordinary intercourse between places, and much embarrassed the trips of the steam-boats. The harbor of Boston was filled with craft, unable to leave the port; and about 150 sail were below Baltimore, at one time, groping and working their way to our city.

MORAL POWER. It has been the pride of our country that the law operates without a shew of power—because that the *citizens*, at the call of the law, rally round the standard of the law, and unite in common efforts for the common good, as Mr. Jefferson expressed himself in his first inaugural address. Every good citizen is a sort of special constable, or guardian of the law.

The marquis Morbois, in the introduction to his history of Louisiana, speaks thus of the supreme tribunal of our country.

"There is at Washington a power which has neither guards nor palaces nor treasures, it is neither surrounded by clerks nor overloaded with records. It has for its arms only truth and wisdom. Its magnificence consists in its justice and in the publicity of its acts. This power is called the supreme court of the United States."

Speaking of the United States in his history, he says—

"No where else do we find so much ease and contentment, the fruits of industry, of discreet conduct and good morals."

"The emigrant is always kindly received, and has nothing to fear but his own faults. A good carpenter, an industrious mason, a clever mechanic, sees only the laws above him."

APPOINTMENTS BY THE PRESIDENT. *Faugh W. Sullivan* to be surveyor and inspector of the revenue for the port of West Point, in the state of Virginia, vice Eugene Sullivan, deceased.

William G. Hammond, to be surveyor for the district, and inspector of the revenue for the port of Newport, in the state of Rhode Island, vice John Slocum, deceased.

William A. Whitehead, to be collector of the customs for the district, and inspector of the revenue for the port of Key West, in the territory of Florida, vice Algernon S. Thruston, removed.

MR. RANDOLPH. *The Boston Patriot* says—A gentleman of veracity, who has conversed with capt. Turner on the subject of Mr. Randolph's mission, informs me that it was Mr. Randolph's *bona fide* intention to abandon the mission altogether, and come home this fall, if his health would permit. The interview with the empress, and all its laughable circumstances, was jocosely recited by Mr. R. himself, on many occasions. Mr. R. was seriously affected by a pulmonary complaint.

The New York Journal of Commerce observes—A gentleman of respectability, and a particular acquaintance of Mr. Randolph, called on him in London, and was, of course, shewn the correspondence which took place on his appointment. The first letter is unofficial from gen. Jackson, enquiring whether Mr. Randolph would accept an appointment to St. Petersburg. The second is the reply of Mr. Randolph, declining, on principle, all government appointments, and closing with a declaration that nothing would induce him to accept the appointment, unless it were accompanied with permission to stay at St. Petersburg no longer than he should find it convenient; the other portions of time to be spent in the south of Europe. The third document is the official letter of Mr. Van Buren, written immediately after, confirming the appointment on the terms specified by Mr. Randolph, and adding that a sloop of war would remain at his disposal, to transport him wherever he should direct.

Another paper says—We learn that the gentleman of whom Mr. Randolph rented a furnished house in St. Petersburg, (which he kept about a week), has remitted the amount received in payment, 190 rubles, equal to $140, as a donation to the Boston Seamen's Friend society.

The Boston Gazette has the following paragraph—Mr. Randolph said to Juba at their parting, "My remains will be sent to Virginia, in spirits. Bury them under the old oak, on my plantation. Turn my head to the east. *I wish to look westward.*

It is positively asserted that Mr. Randolph has abandoned his Russian mission, and reported that Mr. John A. Hamilton, of New York, (son of the general), has been invited to accept it, but that he would decline the appointment. Mr. Woodbury, one of the senators of the United States until the 4th March next, from New Hampshire, has also been spoken of.

We give these things as we find them, for general information.

CONVENTIONS, both of the administration and anti-administration parties, are to be speedily held in *Kentucky*. One of the "national republicans" has been agreed upon to be held in *Vermont*, at the seat of the state government, on the last Wednesday in June next, for which purpose a central committee has been appointed at a late meeting, of which *Mark Richards* was chairman—the resolutions are entire in favor of the "American System." It is also proposed speedily to hold a convention of the friends of Mr. Clay, at Albany, for the state of *New York*, and there is some conversation about holding a like one in *Maryland*. And further, it is suggested that a national convention be held at Washington, to be composed of delegates friendly to internal improvements and domestic manufactures, to nominate a candidate for the presidency of the United States.

There is about to be a great political stir among the

people—and the opinion is general, that the proceedings of congress, at the ensuing session, will give a powerful impetus to parties. It does not yet appear settled whether president Jackson will retire or again be a candidate.

A FAMILY PHYSICIAN, Dr. *Charles Hall*, of Brooklyn, New York, was lately fined two thousand dollars, and costs, for an outrageous assault upon a young lady, who had been under his medical charge. We cannot see why this violator of most sacred confidence reposed, was not sent to learn the art and mystery of hammering stone, for a long period of years, at Sing Sing. Twenty or twenty-five years engagement at such a business, might have reformed him, other suitable punishments being added.

QUALIFICATIONS OF JURORS. One of the judges of the court of common pleas, sitting at Newport, R. I. when a person was rejected as a juror, because that he was a freemason,* has addressed a note to the editor of the Providence Patriot, stating his dissent to that decision of the court, for the following reasons:

1st. The insufficiency in my opinion of the testimony, offered in favor of the motion to reject the juror.

2d. My certain knowledge that masons are not under obligations (up to the third degree, and above which I have no knowledge) to favor a brother mason to the injury of any other person, against either *law* or *justice*.

3d. My extreme reluctance to aid in proscribing and disfranchising a numerous and respectable portion of the community. SAMUEL CLARKE.

Portsmouth, R. I. Nov. 14, 1830.

FRENCH REVOLUTION. We omitted in our last a paragraph stating that a public meeting had been held in New York on the 12th inst. to celebrate the late events in France, the venerable ex-president *Monroe* presiding, undeterred, though in feeble health by the inclemency of the weather. On taking the chair, he addressed the meeting on the occurrences which had induced them to assemble; referred to the influence of the American revolution upon France and Europe generally; recalled the early services of Lafayette in this country, where he drank deeply of the true principles of liberty; and in conclusion expressed his thanks to the citizens of New York for having put him forward on such an occasion. His remarks were received with often repeated plaudits.

Numerous committees were appointed to superintend, or to direct, various parts of the proposed ceremonies, which it was well determined should take place, on Thursday last, the anniversary of the evacuation of New York by the British troops, after the close of the revolutionary war. We notice the meetings of many trades and associations, in preparation of the celebration—among them, one of the *Bill-posters*, another of the "News-carriers society." We do not particularize these in disrespect, but to shew that persons so employed are sufficiently numerous in New York to form associations.

NEW YORK. We have not yet received the returns from New York in the official shape that we shall wish to record. The whole number of votes given has not yet reached us. The "Albany Argus" makes the majority for Mr. Throop, over Mr. Granger, 8,506. There is a table in the "Journal of Commerce" intended to shew, that, had the votes for governor and for certain anti-administration candidates for congress, *run equally*, Mr. Granger would have had the majority. We have no means of testing the *general* accuracy of this conclusion.

PAUPER AND CRIMINAL STATISTICS. It appears from an official report, published in the New York Gazette, that there are 2,049 persons in the city alms-house. Of these, 1,158, are natives, and 891 *foreigners*. In the penitentiary, 530 persons—natives, 300, *foreigners*, 230. The total number of children at nurse in the alms-house, is 199.

[Behold, what a tax is paid because of the misery or crimes of *foreigners!* England exports her *paupers* to our shores, and her villains seek an asylum here. All our penitentiaries, as well as alms-houses, have a triple proportion of newly-arrived Europeans. We wish that the compliment might be returned, in shipping some of our own native vagabonds to England. We like to keep accounts balanced!]

PITTSBURG. Enumeration of the city of Pittsburg and its vicinity:

City proper	North ward,	3,000	
	East ward,	3,184	
	South ward,	4,606	
	West ward,	1,750	
			12,540
Allegheny town,		2,807	
Bayard's town,		2,018	
Birmingham and along the south bank of the river to the mouth of Sawmill run,		1,149	
Lawrenceville, Pipetown, Hayti, East Liberty, and the remaining part of Pitt township,		3,919	
			9,893
Total, Pittsburg and its environs,			22,433

In 1820 the population of the city proper was 7,248: increase in ten years 5,292—73 per cent. [*Gazette.*

SOUTH CAROLINA. The regular day for the meeting of the South Carolina legislature, was the 22d inst. The Greenville S. C. Mountainier of the 5th, says, "We are inclined to think, from the best information we can get, that the convention and non-convention parties will be pretty equal in point of numbers, in our next legislature. There will, no doubt, be sharp sparring between the two parties, when the legislature convenes. But, in all probability, the propriety of calling a convention will not be obtained in favor of a convention. Forty members are enough to prevent its being called."

GEORGIA AND THE INDIANS. *From the Milledgeville Journal.* A white man, by the name of James D. Sutton, residing in Habersham county, was convicted at the last superior court of that county, of the crime of robbery committed on a Cherokee Indian, in the Cherokee nation, and sentenced to four years confinement in the penitentiary. We understand that *judge Clayton*, before whom the case was tried, charged the jury against the prisoner, and in his remarks upon passing sentence, admonished the community that the laws of the country would be administered with an even hand over all descriptions of persons.

We make this statement on authority not to be questioned; and add to it another case of which we have lately heard the particulars:

There was a combination among certain unprincipled white men, lately, to defraud a wealthy Indian. They forged his signature to a number of notes, and instituted an action on one of them, under the belief that our law, on the subject of Indian evidence, would enable them to recover. They failed altogether. The jury would not sustain them.

CHEROKEE LEGISLATURE. *New Echota Oct.* 30.—The two houses of the general council of the Cherokee nation adjourned last Tuesday evening, after a session of little more than two weeks.

During the latter part of the first week of the council, a gentleman by the name of Bogan, from Gwinnette co. Georgia, was at this place, engaged, as he said, in taking a census under an act of congress. As this act and the constitution of the United States expressly exclude *Indians not taxed*, we felt very little inclination to give in. He met but a poor success here. It appears on his return home, he was arrested by the United States' troops, after being stabbed in the breast with a bayonet. This was done at Phillip's, on the Alabama road, where we are told, he spoke rather harshly on the conduct of the troops towards the intruders, declaring that he would not allow himself to be taken by them, for they were but a set of robbers—that if they did take him, he would take them in turn, by collecting the militia of Gwinnette county, and if one county would not do, he would muster six. A lieutenant heard all this, and soon after had him arrested. So the report goes, which we presume

* See last number of the REGISTER, page 203.

is substantially correct. It appears that Mr. Bogan has been up to his words in some respects, for a gentleman who left Laurenceville last Monday says, that a company was about to be formed in the county of Gwinnette, for the arrest of those men by whom he was taken. We shall soon know the result. [*Phœnix.*

BATTLE OF TIPPECANOE. The bones of those who fell in this severe battle with the Indians, (wherein the Americans, under the command of gov. Harrison, of the then territory of Indiana, had 62 killed and 126 wounded, in November, 1811), were collected and interred on the 21st ult. by a large concourse of people, with due gravity and respect. The remains were gathered and inclosed in one large coffin, on the lid of which was inscribed, in large letters, of brass nails—"*Rest, warriors rest,*" with solemn and appropriate ceremonies. A full account of this conflict is recorded in the first volume of the REGISTER. The attack of the savages was bold, and they lost many men; but among the killed, of our own people, were many distinguished citizens, before the enemy was repulsed. Gen. Harrison, who had been invited to take a lead in this ceremony, was prevented by severe indisposition, and his oldest son had just departed this life. Gen. Tipton, who had had a part in the bloody fray, supplied his place. The town of *Lafayette* is adjacent to Tippecanoe, and was filled with strangers on this occasion. The sons of col. Owen and capt. Warwick, killed in the battle, were as chief mourners.

WEST INDIA TRADE. A New York paper says—"Two *British* vessels entered this port yesterday by virtue of the treaty, the duties on the cargoes of which will be $10,000 *cash*. Does this show the acquisition valueless."

Query—If the same articles had been received, *via* St. Thomas, in *American* vessels, would not the proceeds of the duty have been the same—to say nothing of profits earned by the freight? The general amount of business with the West Indies will *not* be increased, from an opening of *our* ports. A small *present* stir may be made—but we look to the experience of *past years* to settle the balance.

TREATY WITH TURKEY.—The New York Daily Advertiser states Mr. Rhind, commissioner to Turkey, has arrived in the brig Phebe Ann, from Smyrna. He brings with him an important *commercial treaty* negotiated by him at Constantinople with the sublime porte, which is said to be highly favorable to this country. This is the first treaty ever negotiated between the two governments. Mr. R. speaks in the highest terms of the treatment he received from that government, and the friendly disposition manifested towards this country.

Mr. R. brought out with him four elegant Arabian horses which he obtained at Constantinople.

["The passage of the Balkan" has had a powerful effect on the *policy* of the "sublime porte"—the Black sea is open to commerce, and he has "understood," through *Russian* cannon, that a part of the world is called America.]

THE DUKE OF BRUNSWICK, lately deposed by his people, appears to have excelled our post-master Werick, in the range of his depredations. He examined the letters in the post-office at will, and took from them whatsoever he wished—among other articles, he stole a valuable gold chain from a letter, which he gave to one of his strumpets, who wore it publicly, knowing that it was stolen—the duke having a "divine right" to be a rascal! We only regret that this ape of royalty escaped a just punishment for his offences.

"THE FASHION." A good fashion prevails in France. It is the fashion to be *patriotic*. The "National Intelligencer says—

We have been favored with copies of the following interesting articles. The letter and the step which it announces on the part of the duke of Orleans, form a striking incident and mark strongly the spirit of the times. A letter from general *Lafayette* of October 8th to a friend in this city, says—We had a review on Saturday, in which the duke of Orleans, prince royal, figured as a simple cannonier. His young brothers are also enrolled as simple soldiers in the battalions of the national guards."

NATIONAL GUARDS OF PARIS.

Order of the day, September 13th, 1830.

The general commander in chief believes that he cannot render more acceptable homage to the sentiments of the king in favor of the national guard, than by publishing in an order of the day, the letter with which he was honored after the grand review made by the citizen king; influenced by the same motives, the general commander in chief hastens to make known to his brothers in arms, not only the wishes, but also the very expressions of the young and patriotic heir to the national throne. Their comment will be found in the hearts of all the national guards of the capital and of the whole kingdom of France.

LAFAYETTE.

Palais royal, 11th September, 1830.

You will not be surprised, my dear general, at my desire of entering into the ranks of this glorious national guard, which you have commanded at the two great epochs of modern history, and the heroism of which you have, each time, so nobly guided. To serve in that guard is the duty of all good citizens; and more than any other, do I wish to fulfil it. It is in the artillery of the national guard that I desire to be enlisted as a soldier, because, in this arm of defence I shall be able to render service without encroaching on my other duties.

I avail myself, with eagerness, of this opportunity to renew to you, my dear general, the assurance of all the sentiments which I already entertain towards you, in common with that army of citizens to which I shall now be proud to belong. Your affectionate,

FERDINAND PHILIPPE D'ORLEANS.

Louis Philippe and his family were lately at the theatre Francaise, and their reception was most brilliant. It is stated that sixty francs were given for a stall on the occasion—the ordinary price being nine. The representation was M. Andreux's new tragedy of Brutus, and at the line,

"*We desire peace without fearing war,*"

his majesty himself gave the signal of applause, and the entire house respounded with a cry of vive de roi.

It is said, that when the king was advised the other day not to entrust artillery to the national guard, because it would place him at the mercy of the citizens, he replied—I will be a national king, or no king—I will reign by the will of the people, or I will not reign at all.

The present king of Great Britain and Ireland seems personally disposed to follow the French "fashion." He is a very *plain* man. But he will be compelled to alter his course, or quarrel with *wigs* and *tawn sleeves*, for the nobility and bishops will not allow him to be a MAN; he must be a *king* and a *high-priest*, by "divine command." William the "head of the church!"

ROYAL MATTERS. *The late British king's wardrobe and cellar of snuffs.*—His late majesty's wardrobe, which is now on especial view at Bailey's, in Mount street, presents a costly monument of regal taste. From the boy's vest to the more capacious frock of later years, there is every intermediate size and vestment, affording a progressive view of his corporeal aggrandizement. This rare collection is the "*spolia vere opima*" of George the fourth's six pages; every part and parcel of it has been surveyed and valued by the various masters of the body-craft, and ticketed accordingly. The produce of the sale will, it is conjectured, fall little short of some fifteen thousand pounds, which, after all, as we have heard it estimated, will scarcely exceed one-fourth of the original value. The cellar of snuff was less well furnished than had been expected, and has been sold to a well known purveyor to nasal inebriety for a round sum or four hundred pounds; a sum supposed to be the value of certainly the rarest cellar of Virginia, Oronoke, &c. which was ever brought together by any peer of the realm, since the piquant days of sir John Hawkins of Walter Raleigh.

The *bijouterie* of "his most gracious majesty," George the fourth, consisting of snuff box, rings, &c. have been valued since his death, by eminent gold smiths, at two

hundred and five thousand pounds sterling, or about one million dollars. The goldsmiths offered to take the articles at this valuation, but "his majesty," king William the fourth, wishes to keep the playthings for his own use. Justly was it said by Milton, "that the trappings of monarchy would support a republic."

YANKEE ENTERPRIZE. *From the Boston Patriot.*—Brig Smyrna, of Duxbury, capt. Sprague, which arrived here on Tuesday night, in the very short passage of *forty-two* days from Smyrna, said to be the shortest ever made thence to this port, also made her passage from this port to Smyrna in the same short space. This brig proceeded from Smyrna to Constantinople, thence up the Bosphorus and the Black Sea to Odessa, being the *first American vessel* that ever reached that place, or displayed the "star spangled banner" in that remote sea.

She took on board a cargo of wheat for Trieste, and on passing Constantinople, after an absence of 21 days, found a fleet of vessels bound up the Black Sea, several of which were British, which she had left there, none of which attempted to beat up against a N. E. wind and the current of the Bosphorus, (which ran at the rate of six miles an hour), except a Danish barque, a fine English brig, and two clipper built English schooners. The barque and the brig gave up the attempt, the schooners (which have the advantage in beating) and the Smyrna, gained the Black Sea. As the wind prevailed at N. E. the Smyrna found them, on her return, as above. Capt. Sprague, after discharging his cargo at Trieste, returned to Smyrna. The Smyrna had been absent but seven months, yesterday.

[If we recollect right—it was a "Yankee," in a ship belonging to Baltimore, who first left Liverpool in a ship, and reached the sea safely, in a certain wind—and, as no other vessel arrived for a long time, it was thought that an *embargo* had been laid!]

JUDGE SMITH. The Yorkville *Pioneer*, of the 6th inst. contains an "Address to the good people of South Carolina," from that consistent and veteran politician, the hon. Judge Smith, one of our senators in congress, upon the great political questions of convention and nullification, which occupies two entire pages of that paper.

He expresses himself as decidedly opposed to any such measure at present. He concludes, from the signs of the times, "*that both the tariff and internal improvement systems are fast crumbling away, and will soon be entirely demolished;*" and he cannot therefore, conceive it to be necessary for this or any other state, "to resort to secession, nullification, or convention, to effect the object." [*S. Carolina paper.*

☞ We intend to publish this address next week—not as approving its matter, except as anti-nullificatory, but to shew those interested what they may expect—if they do not rouse themselves.

INTERESTING ITEMS.

Pitcairn's Island. The Asiatic Journal for October mentions the death of John Adams, governor of Pitcairn's Island. He was the last of the mutineers of the English ship Bounty, and had resided on the Island 40 years. His character appears to have undergone a remarkable change during the early part of his residence there, since which time he is represented to have been a pattern of all the virtues which adorn society. Under his influence, the colony long since assumed a character of order, morality, and even piety, which has astonished every one that has had opportunity to behold it.

[The history of this island is familiar to most of our readers—it was first peopled by some of the mutineers of the Bounty, and certain Indian women, whom they had carried off. The fate of the mutineers remained long unknown to the people of Europe. Their descendants are highly interesting.]

The duke of Wellington's family receives in sinecures, pensions, and salaries, no less a sum than two hundred and sixty-three thousand seven hundred and thirty-six dollars annually. The duke has also received in grants from the government 3,800,000 dollars.

[If the brows of the duke were crowned with laurels, he rests "in feathers;" and he has *feathered* his family too.]

The Mecklenberg gold mines, in North Carolina, are about to be systematically worked, by the chevalier Rivafinoli, the agent of a London mining company, and a number of Germans, that he has brought with him.—The "gold region" in the south, appears a very large one. The precious metal is found in a very extensive district.

Died, at Kittanning, Pennsylvania, aged nearly 88 years, *James Brown*, a gallant soldier of the revolution.

"The Salem Murder." Joseph J. Knapp, indicted at Salem as an accomplice in the murder of Mr. White, has been found *guilty*. The trial of George Crowninshield, as an accomplice, has also taken place, but he was acquitted.

Burning of more than seven millions of bank notes. In the repository at Woolwich, among the curious relies, may be seen a clinker, which is all that remains of the bank notes consumed, when the 1*l.* notes were put down. They were destroyed in a furnace built for the occasion. The number burned daily averaged 144,000. It occupied 93 months, and the nominal value of the bank notes was 7,500,000*l.* [*London Sunday Times.*

"A dry time." The Mobile Register states, on the authority of a letter from Clark county, Alabama, that no rain had fallen there between the 14th June and the 25th October.

"The tea cases." The last of the celebrated *tea cases*, were decided in Philadelphia on Thursday, last week, when the jury rendered verdicts in favor of the *Atlantic Insurance Company*, and the *Merchants' Fire Insurance Co.* of New York, the former for $28,977 *55*, and the latter for $25,876 25.

Naval expedition. A naval expedition, under capt. Fitzclarence, (son of Mrs. *Jordan*, while lodging with the present king of England), is in preparation in England. Its object is to examine completely the whole of the Eastern Archipelago, where many openings are expected to be found for commerce. It first goes to New South Wales. It will be ready about January.

From Texas. We have received a Texas paper of September 25th. It remarks—the Indians on the east of the Mississippi are driven like dogs from the graves of their fathers, and huddled together on the northern frontier of Texas, ready to pass over and occupy the whole country. It has become a matter of serious doubt, whether Texas will ever rise or prosper, so long as it is united with Coahuila. The question of separating, with a view of forming a territorial government, as a territory of this nation, is beginning to occupy much of the public attention. [*Louisiana paper.*

Talleyrand. A late London paper observes:—"Prince Talleyrand is determined to sustain the hospitalities of his mission with becoming splendor. He has already stored his cellars with a number of cases of Champaign and Burgundy, and a wagon load of hogsheads of Bordeaux, all of the first quality. This silver-haired old veteran is, we believe, in his 73d year. He seems feeble in his person, but a friend who knew him well when he was in England upwards of thirty years ago, assures us that his eye is as bright and penetrating as ever."

The U. S. ship John Adams, rebuilt, rather than repaired, was launched at Norfolk on the 16th inst. She is a beautiful vessel, and the figure-head is a bust of the revolutionary patriot whose name she bears. She is pierced for 26 guns.

William Bartlett, esq. of Newburyport, has at different times, given to the theological seminary at Andover, (Mass.) upwards of *two hundred thousand dollars.*

Ripe strawberries, which grew in an open field, were exposed for sale in the market of Georgetown, Col. about two weeks since.

Mr. *Rhind*, our late agent at Constantinople, the Richmond Compiler, observes—is said to have been presented by the sultan with four Arabian studs of the finest breed. This is a noble, but it may be a tantalizing present—for how could Mr. R. accept them—for the constitution says, that "No person holding any office

of profit or trust under the United States, shall, *without the consent of the congress*, accept of any present, emolument, office, or title, of any kind whatever, from any king, prince or foreign state."—Will congress permit Mr. R. to retain his Arabian studs—or will they go into the usual place of deposite for presents, the department of state?—It now abounds with superb snuff-boxes, swords, guns, medals, &c.—and will the horses take the same direction—or how are they to be kept?

Steam boats. The New York American says—The number of steamboats in operation in the waters of the state of New York, is estimated by the editors of the Daily Advertiser at 86. On the Mississippi there are supposed to be 130 steam boats, one hundred of which are of a large size. Many of the boats which navigate the North river and Long Island sound, are of the first class. The President measures, according to the mode adopted in the United States, 527 tons, the Benjamin Franklin 422, the North America 430, the Chancellor Livingston 495, the Ohio 412, the De Witt Clinton 373, the Washington 339, the Albany 306. A very large proportion of those on the Mississippi are estimated at an average of 300 tons each.

Mortality. It is said that 160,000 bodies have been deposited in the cemetery surrounding Trinity church, New York, since the land was ceded by the corporation of the city in 1702.

Master commandant Edward R. Shubrick, has been appointed to the command of the United States ship Vincennes, now fitting for sea at New York.

Mrs. *Barney's* new "National Magazine" appeared last week. It contains several original articles that are excellent, and is ornamented with a lithrographic engraving of the "Patterson viaduct," on the Baltimore and Ohio rail road. The address of the editor is very satisfactory—and the prospect is, that this new work will become a favorite.

The U. S. ship Lexington, W. M. Hunter commander, arrived at Norfolk on Saturday last, from the Mediterranean, all well. The *Java* was at Mahon, the *Constitution* and *Fairfield* had sailed for Naples, the latter having on board Mr. Lee, late consul at Algiers, and his family. Com. Porter had left Mahon, in a private vessel, to visit Algiers. The *Ontario*, was at Gibraltar.

Virginia. John Mercer Patton has been elected without opposition, to serve out the remainder of Mr. *P. P. Barbour's* term.

The U. S. frigate Guerriere, left Callao on the 29th July for Guayaquil—the *St. Louis* remained at Callao.

Washington city. We are glad to hear of a revival of employment among the working people of this city, and that many new buildings, some of which had been suspended, are going up, and that other interesting improvements are making.

A group of oysters. Mr. Reynolds, who keeps capital oysters at his little shop in Fulton street, between Nassau street and Broadway, called at our office this morning with a rare specimen of this universally popular shell fish. There were twelve very large ones, standing end-wise and upright, like the quills upon the porcupine's back, all upon one stem. [*N. Y. paper.*

Florida. It is mentioned in the Savannah Georgian, that the superior court of the district of Tallahassee, in Florida, has pronounced its decree in the case of *Mitchell*, and others, versus the United States, brought for the confirmation of the title to that tract of country, known as Forbes' purchase, in favor of the United States. We are further informed that the decree is only a preliminary one, preparatory to the examination of this important cause, by the supreme court of the United States.

Cotton. In 1784, an American vessel was seized at Liverpool, for having on board *eight bales* of cotton, as it was considered impossible that they could be the growth of the United States!

[In 1829, we exported and consumed more than 300,000,000 lbs.]

D. D. The Western Reserve (Ohio) Synod has passed the following resolution:

In view of the doubtful authority, whether scriptural or rational, by which the honorary title of D. D. is conferred on some christain ministers, in distinction from others; and with the conviction that the conferring of such titles, as honorary distinctions, is incompatible with the acknowledged purity of standing among christian ministers, and with both the spirit and letter of the gospel,

Therefore, Resolved, That the Western Reserve synod will no longer recognize such titles as belonging to ministers of the gospel.

Death by steam explosion. It appears by a statement in Silliman's Journal, No. 38, that one thousand and five hundred persons have been destroyed, in this country, by explosions from steam boat boilers.

Etopement. The daughter of one of the Rotchschilds, eloping with a Mr. F—s—a, was lately arrested with her swain, in England, and brought back to London.—But they had been married before they started! The hero was an Irishman. It was a grand speculation—to be settled, perhaps, by a separation and 50,000*l.*

Navigation. The captain of the brig Phœbe Ann, in which Mr. Rhind came passenger from Europe, says that it rained every day on his homeward bound passage, and that he had not a single opportunity to take an observation from the time he entered the Gulf stream. Capt. Britton, of the ship Josephine, makes nearly the same observations concerning his voyage across the Atlantic. The art of navigating the ocean now-a-days has been brought to such perfection, that it makes very little difference to our accomplished commanders, whether they use the quadrant or not! [*N. Y. Jour. of Com.*

James Gray was lately executed for murder, at Batavia, N. Y.—and a great many persons, supposed to be mothers,———or maids, because they were dressed in *women's clothes*, attended. The father of Gray, who had been also convicted for the same offence, received a conditional pardon—to the great mortification of the *women*, who wished to see two men hung at a time.

The president. The common council of Charleston, S. C. have invited gen. *Jackson* to visit their city. It is said that he will accept the invitation, and may be there some time in May.

Mr. Clay The editor of the U. S. Gazette mentions having been shown a *snuff box*, made by Mr. L. L. Barnes, of Richmond, and intended as a present to Henry Clay. It is in the form of a smith's anvil, made of iron and plated, having the following inscription on the lid:—

"To *Henry Clay*, the friend of the mechanics, this specimen of native workmanship is presented from the anvil of *Lewis L. Barnes*, Richmond, Virginia."

Baltimore. In consequence of the late north-east winds and fogs, more than one hundred and fifty vessels, chiefly bay-craft, were reported below, on the 17th inst. bound to Baltimore, with their various cargoes.

Rare sport. A party of forty gentlemen in Belchertown, Mass. held a hunt on the 29th ult. for squirrels, rabbits, wood peckers and owls. The party was divided into two sets of twenty each: after the day's hunt the game was counted, and the result of the sport announced. One side counted 433, and expected to win, but it was soon announced that the other side counted precisely the same number; of course the supper, &c. which seems to have been the prize contended for, was paid for mutually.

"Jeopardy." A discussion of the meaning of this word, as applied to different cases, has caused as much pleading by the lawyers, as would fill ten thousand quarto volumes, and yet the thing is not settled. The following may lead to an elucidation of its meaning:

A man by the name of Martin, condemned to death in France, was respited on the ground of ill health—the bringing him out to execution would, as the doctors reported, endanger his life. This was no doubt true—but ill health under such circumstances, must have been exceedingly lucky.

Gen. David R. Williams, a distinguished citizen of South Carolina, while superintending the erection of a bridge, on the 15th inst. was killed by the falling of a piece of timber. He was a printer, we believe,—but had filled many of the most important offices in his state, among them that of governor. He was a staunch republican, and a much valued citizen, filled with public spirit and patriotic enterprise, and a warm friend of the union.

FOREIGN NEWS.

From English papers of the 18th and Paris of the 19th October.

FRANCE.

Russia has, in amplest form, acknowledged the king of the French. Every link of the "holy alliance" has been broken by the revolution in France.

It is highly probably that some of the ex-ministers will be given up to public execution, (after trial). The people, indeed, seem to demand it, as an atonement for the blood that they caused the shedding of. Polignac has written a letter to the members of the commission of impeachment, in which he resists certain accusations preferred against him, and wishes that he may be promptly permitted to explain every act of his political life, &c. He will, no doubt, be fully heard, in due season.

The official gazette of Stockholm of the 25th ult. announces that the prince de la Moscowa and the duke D'Elchingen, the former a captain, and the latter a lieutenant in the Swedish service, have obtained their discharge. [They will return to France.]

It is said, that at a recent council of ministers it was resolved that before the law project for the abolition of the penalty of death was prepared, the court of cassation and the royal courts should be consulted.

An increased attention is paid in France to public instruction—and mighty means will be used to diffuse information among the people.

The salaries of the new ministers is said to be fixed at 80,000 francs, each.

The national guards throughout France seems duly impressed with the importance of preserving public order. They insist upon obedience to the laws—and enforce it.

The French brig of war the Palinure, was the first vessel that arrived at Smyrna with the tri-colored flag, and was warmly greated by Mr. Rhind and the rest of the Americans at that port; and friendly visits were exchanged, in a very handsome manner.

In Gallignani's Messenger of Oct. 16th we find the following speech of *Talleyrand*, addressed to the king of England, on his presentation as ambassador from Louis Philippe.

Sire,—The king of the French has chosen me to be the interpreter of the sentiments with which he is impressed towards your majesty. I have accepted with great satisfaction, a mission which brings my long carcer to a close so honorable. Sire, after all the vicissitudes of my lengthened days, after all the various changes of fortune which, during forty years, so fruitful in events, have chequered my life, nothing could have been more grateful to me, nor have more fully accomplished my wishes, than the appointment which brings me again into this happy country. But how great is the difference between the two periods. The jealousies, the prejudices, that so long divided France and England, have given place to esteem and enlightened friendship. Common principles of policy unite the two nations still more closely. England, moreover, concurs with France in repudiating the principle of interfering in the internal affairs of its neighbors; and the ambassador of a monarch, called to the throne by the unanimous voice of a great people, feels himself perfectly at his ease in a land of liberty, and near a descendant of the illustrious house of Brunswick. I rely with confidence, sire, upon your favorable acceptance of the offices with which I am charged, and solicit your majesty to receive the homage of my profound respect."

The grand lodge of Paris gave, in the beginning of last month, a magnificent entertainment to general Lafayette. The foreign freemasons, in Paris, intended also to give him "a patriotic and masonic dinner."

The most eloquent and eminent of the French Roman Catholic divines, the *Abbe de la Mennais*, has proposed, in an able address to the Roman Catholic clergy of France, to renounce all salary, or pecuniary stipend—all endowment of whatever description—from the government; and to throw themselves entirely, for subsistence, on the piety and justice of the people, as their flock.

Napoleon has been made the subject of melo-dramatic pieces, in several of the theatres of Paris. There is no longer *terror* in the name of Napoleon. The fact speaks volumes in favor of the revolution.

There is a report that France has ordered 300,000 muskets from the Birmingham manufacturers—requiring a speedy delivery, at the rate of 50,000 per month. We do not think that this is probable.

GREAT BRITAIN AND IRELAND.

We notice this paragraph in the London Morning Chronicle, of recent date;—"The gentlemen and farmers of Kent are in the greatest consternation on account of the organized system of conflagration, from which so many of them have suffered. The insurgents go about in bands of one hundrd and fifty, and coolly demand the keys of the barns to destroy the threshing machines, and the idea of resistance is out of the question. Indeed, when gentlemen have applied to their servants to assist them in repelling the attack, they have met with a flat refusal.—The signals are given by sky rockets, and as many as fourteen stack yards have been in flames at the same time.—There has long been a sullen discontent among the peasantry of England. We have often raised our voice in their behalf, but in vain. The gentry have not done their duty towards them. The laborers feel that the higher ranks are looking on with their arms folded, while they are sinking to the level of wretchedness. It is deeply to be lamented that they should have recourse to lawless outrage, but when did ever persons in their situation reason correctly with respect either to the cause of their sufferings or the proper remedy? The disturbances in Kent are a warning that ought not to be disregarded. What adds to the alarm of farmers, is the refusal of the insurance offices to insure them, except on the most ruinous terms."

At a petty sessions at Blackwater, on the 17th instant, Wm. Stanley and James Gillam were fined 5*l.* each *for fishing in Northwarnborough stream*, and, not being able to pay the fine, they were committed to the Bridewell for two callender months. [*Hampshire Adv.*

An Irish paper says—On Saturday last, the 2d inst. a vast mob collected from the purlies of Kells town, and the neighboring country, *seized* themselves of the common of Lloyd, divided it into portions of an English acre to each family, and distributed the land amongst themselves as far as it would go. They next proceeded to build houses—and being furnished with the requisite tools and materials, and no lack of handy and willing workmen, they in a short time completed many tolerably comfortable residences. Our informant states that when he last visited the scene there were at least 300 cabins in progress.

This proceeding appears to have caused no small "excitement."

The London Morning Herald of the 15th ult. contains the following copy of a hand bill, circulated in Brighton and London in large numbers, during the night:

"Englishmen—The time is fast approaching when you will be called upon to exert yourselves in the cause of liberty. A standard is about to be reared, around which, we feel assured, thousands and tens of thousands will flock.

Our country is overrun with military, police, excise officers, &c. &c. These must and shall be done away with.

Our blood will flow, but it will flow in the cause of liberty; better die in that cause than live slaves. Englishmen, be united, firm and steady. *A republican.*"

At the grand dinner given at Birmingham on the 11th ult. to commemorate the French revolution, the following toast was read, and received with loud plaudits:—"Our brethren of the United States of America, who, following the example of their noble ancestors, have laid the solid foundation of the modern liberties of the world."

A very considerable stir is making in Ireland. The ostensible purpose is to obtain a repeal of the act of union with Great Britain, in which O'Connell is taking a leading and very decided part. Many warm addresses have issued to the people, and a society to be called the "Anti-union association" was contemplated, and several preparatory meetings held—whereupon the following proclamation was made—

By the lord lieutenant-general and general governor of Ireland.

A PROCLAMATION.

Whereas, by an act passed in the tenth year of his late majesty's reign, entitled, "An act for the suppression of dangerous associations or assemblies in Ireland," a power is vested in the lord lieutenant, or other chief governor or governors of Ireland, by his or their proclamation or order, to prohibit or suppress any association or assembly, or meeting of persons in Ireland, which he or they shall deem to be dangerous to the public peace or safety, or inconsistent with the due administration of the law, or any adjourned, renewed, or otherwise continued meeting of the same, or any part thereof, under any name or pretext, or devise whatsoever.

And whereas, it hath been made known to US, that an association or assembly, or meeting of persons is formed, or is about to be formed in the city of Dublin, under the name of the Irish society for legal and legislative relief, or the Anti-union association.

And whereas, we deem the existence of the said association, assembly, or meeting of persons, to be dangerous to the public.

We, therefore, the lord lieutenant general and general governor of Ireland, being resolved to suppress the same, do hereby prohibit the meeting of the said association, assembly, or meeting of persons, and all adjourned, renewed, or otherwise continued meetings of the same, or of any part thereof, under any name, pretext, or device whatsoever; and being determined and resolved strictly to enforce the law and the penalties thereof, against all persons offending in the premises, do charge and command all sheriffs, mayors, justices of the peace, and all other magistrates, officers, and others whom it may concern, to be aiding and assisting in the execution of the law, in preventing the meeting of said association, assembly or body of persons, and in the effectual dispersion and suppression of the same, and in the detection and prosecution of those who, after this notice, shall offend in the respects aforesaid.

Given at his majesty's castle of Dublin, this 18th day of October, 1830. By his grace's command.

H. HARDINGE.

Mr. O'Connell addressed to the people of Ireland the following letter on the occasion:—

Mr. O'Connell's letter to the people of Ireland.

The proclamation signed by sir Henry Hardinge, an English officer, holding a situation here, and paid with our money, prohibits a society, which has as yet no existence, from meeting. This act is according to law—that is, there is a statute in force enabling this Englishman to prevent Irishmen from consulting together, in order to obtain legal and constitutional relief.

The proclamation will, of course, be obeyed—readily obeyed. That obedience does not alter the nature of the conduct of those who prevent Irishmen from meeting, but it is essential to our future success implicity to obey this proclamation. There are but three things which can impede the now certain repeal of the union.

The first is bigotry. By religious animosity we are degraded and divided. The enemies of Ireland will endeavor to excite it again. It is their old game; I am convinced the endeavor will now be futile.

The second is—the organization of secret societies and administering of illegal oaths. I learn from undoubted authority, that this attempt is on foot—I call on the people, as their friend—I warn them to avoid every illegal society, and every oath whatsoever.

The third is—an attempt at force or violence. The anti-union cause would be annihilated if there was any attempt made to achieve it by force. Upon this point I desire to be most emphatic. Irishmen! No man but a bitter enemy of Ireland will think of using force or violence. I think I can confidently pledge myself that the union cannot last, unless some attempt be made to dissolve it forcibly.

Any effort of that kind would disgust all good men. No man of honor or conscience could countenance so absurd and wicked an effort.

We cannot fail to succeed, if we wait for the peaceable and moral combination of the people. It will require time, and the absence of unreasonable terror, to combine them. The animosities of religious discord are too recent, not to demand patient consideration, in order to prevent their interfering with the progress of that legislative independence which the virtuous and the good of all classes and persuasions will certainly achieve, unless prevented by the folly or the crime of some of the people.

Patience—patience—obedience to the law—but the more firm determination on that account to await the season which is approaching, and in which our country will become triumphant, by the peaceable, orderly and kindly combination of all her people.

Your obedient servant, DAN'L O'CONNELL.

Merrion-square, 19th October, 1820.

Australian wool, in large quantities, has lately arrived in England, and commands a high price. There had been a considerable advance on that of all sorts of wool.

SPAIN.

Gen. Milans, though 70 years old, and paralized on one side, has been appointed commander of the Spanish refugees collected on the frontiers, in opposition to gen. Mina. But the latter is to name the provisional junta, in case of success. Mina has issued a circular exhorting the people to co-operation.

The Spanish army is said to be much disaffected to the king.

MISCELLANEOUS.

The French found 134 pieces of cannon at Bona. The markets at Algiers were well and cheaply supplied with provisions—but 2,300 men were sick in the hospitals.

A great fermentation is said to exist in Prussian Poland, and some of the neighboring provinces of Russia.

COLOMBIA.

After the capitulation of Bogota—(surrendered by *president* Mosquera to *colonel* Pineres), the powers of the government were provisionally placed in the hands of *general* R. Urdaneta, who, on the 17th Sept. addressed a note to *general* Bolivar inviting him to resume the dominion over Colombia. The reply of the last named general has not been received, but, no doubt, he will accept it. Venezuela, however, under *general* Paez, seems to have no disposition to submit to *general* Bolivar.

MEXICO.

We have mentioned the execution of *colonel* Victoria. *General* Guerrero is in the south, where he has partially organized a civil government—he has a considerable force with him. *General* Bravo had fled from Apaculpo—we do not know why. *General* Alvarez has had a battle with *general* Armijo, but the soldiers of the latter joined the former, and he was taken prisoner covered with seventeen wounds, of which he soon died. We know not what side he supported, but there is one *general* less, and that seems well!

What havoc have the *generals* made among their fellow citizens of the south. Many years must roll on before the devastations which they have caused shall be repaired—if repose is yet to be the good fortune of the new "republics."

LATEST NEWS.

From London papers of the 23d and Paris of the 21st October.

Cobbett's son, at Paris, writes to his father that Lafayette had lost his popularity and influence with the national guard—and that a large number of persons had assembled at the Palais Royal, and, having called for the king, who came forth and saluted them, they sung the Marseilles hymn many times with their hats off, and after every time called "*mort aux ministres*"—the "heads of Polignac and Peyronnet"—150 persons, who were engaged in this disturbance, had been arrested. It seems that the people were restrained only by the national guard from acts of violence—but tranquility was restored, and all seemed quiet on the 21st. It is believed that these excitements are caused by the friends of the former state of things. It is thought that the ex-ministers must soon be put upon trial for their lives. The national guard, however, remained firm, and the king has resolved that the laws shall be obeyed; and we hope that France will peaceably go on to consolidate the good principles which the valor of her people have won. We must expect many misrepresentations of the real state of things.

English sovereigns were at 22 sols premium at Paris.

We have reports of the complete route of a party of the Spanish refugees, and Parisians, who had joined them, and entered Spain. Of 900, it is stated that only 50 escaped. But up to the 16th October, there were direct accounts from the patriot forces, saying that they had been received joyfully by the inhabitants, and were joined by them in great crowds.

It is stated that France has made an unequivocal declaration, that she seeks not to retain her African conquests.

Business of all kinds seems very dull in France.—There was a certain disquietude which prevented the free circulation of money.

The queen of Spain has had a female child. It is called the princess of Austrias, which shews that the king has resolved to lay aside the Salique law, to exclude his brother Carlos, if he can.

A telegraphic despatch informs that the Belgic revolution was still in progress. It is announced that Antwerp is in the hands of the people, and that all Belgium is freed of Dutch troops.

The British parliament was to assemble on the 26th of October, and the king, it was understood, would deliver his speech in person, on the 2d of November.

The king's speech on opening parliament, will, it is expected, be still more satisfactory to France. There are in progress very large speculations, for a rise is expected to take place in the French funds on receipt of that document, and which we shall have this day week.

FRENCH CHAMBER OF DEPUTIES.

At a recent sitting of the chamber, general *Lafayette* made the following remarks relative to the suppression of the slave trade. Our readers will see, that on this, as on all other occasions, he was careful to render justice to the United States, whose character or institutions he omits no proper opportunity of holding up to respect and admiration. The announciation of the minister of marine is important, as to destroying the distinction of color.

Gen. Lafayette—I feel always ready to unite in whatever tends to alleviate the unfortunate condition of the ancient and unhappy colony of St. Domingo; but, after the debate which has just occupied our attention, the chamber will not be disappointed if I pass over the present question, to the situation of the colonies which are still in our possession. I regret very much that, at the time of the constituent assembly, the resolutions were not presisted in, which united the free people of color with the other colonists, in declaring them entitled to the same rights. I also wish that the slave trade had been rigorously interdicted, and that a law for the gradual abolition of slavery had prevented the misfortunes occasioned by a sudden and imprudent emancipation. And, since, have we not had sufficient reason to lament this consular and imperial system, which sent our best troops to perish in the sad expedition to St. Domingo, and which caused the double outrage of re-establishing slavery and the slave trade, at a time when none but French capital was engaged in this infamous traffic? Now, gentlemen, after so many sacrifices and misfortunes, we find ourselves behindhand with many other nations, at least in the suppression of the slave trade. The United States first, the English immediately afterwards, have assimilated it with piracy, the only means of repressing it, whilst the guilty can obtain pecuniary indemnification from those who employ them, who, for example, send ships to St. Thomas to carry on the direct trade for slaves. It is to avoid consuming time with special propositions, and reference to the offices, that I entreat the minister of marine, who is present, (and of whose favorable intentions in this respect I am well aware), to communicate to us, decidedly, the determination of government on this subject, and on the condition of the free men of color in our colonies.

The minister of marine—I have the honor of stating to the chamber, that I agree entirely in the justice and humanity of the sentiments manifested by the illustrious general, who has just descended from the tribune. The government proposes to present to the chamber a law, which will condemn all those to the penalties of piracy who engage for the future in this infamous trade for human beings. It must be acknowledged that the trade has diminished, though, in spite of the precautions taken by government, it still exists in a great degree. The penalties enacted against piracy can alone suppress it entirely. Something may at this time, however, be mentioned honorable to France, which is, that of all the European nations who have a maritime commerce, she is least of all given to this odious traffic. As to the fate of the free people of the colonies, the government acknowledges that free men can no longer exist in different conditions; thus the legislation which will be presented to you, will give you an opportunity of consecrating this principle, that all free men, of whatever class or color they may be, are equal in the eyes of the law.

The chamber ordered the petition to be referred to the ministers of finance and foreign affairs.

ASHES OF NAPOLEON.

The following debate took place in the French chamber of deputies on the 4th of October last, on the proposition for the removal of the remains of Napoleon from St. Helena to the Place de Vendome:—

Gen. *Lemarque* rose and said—Gentlemen, as a soldier of Austerlitz and Wagram, I have listened with deep emotion to the report just made to a magistrate who can feel and duly appreciate true glory. If I were in camp, surrounded by my companions in arms, I would exclaim, without hesitation, "Let us hasten to claim the remains of him who so long led us on to victory—a victim to treason, he sunk amongst us—a victim to his own confidence, instead of the asylum he sought among foreigners, he found a prison and a grave. If we have been unable to tear him from the rock to which he was enchained by the terror of his enemies, let us not at all events leave his ashes in captivity." But as a legislator, I do not feel myself at liberty to give way to the emotions of my heart without consideration, and suffer myself to be carried away by my recollections of past glory. Rational policy ought to be our guide, and the general interest our only end and aim. Let us then consider, whether in our present position, the measure proposed tends to the establishment of public security, and whether it may not involve it in some danger. Every thing that relates to Napoleon is of serious import; his name is a power in itself—his memory a worship—even death cannot cool his ashes—but a short time ago, if brought back to the soil of France, they would have sufficed to destroy the dynasty imposed upon us by foreigners. Now all is changed—the right divine and right of the sword, have equally disappeared before the rights of the people—the electoral urn has broken into pieces the holy ampula, and, by the same shock, destroyed impressions less ancient. Raised to the throne, not by a body of soldiers, but by the united voice of the whole nation, a new dynasty reigns over us; planted but yesterday, at the call of liberty, it has already spread deep and imperishable roots. Founding its legitimacy upon our rights, it cannot be attacked without disputing that which we are all ready to defend with our lives. We may, therefore, claim the ashes of Napoleon Bonaparte, and accomplish his death-bed request. Let Paris, like a new Athens, or a new Sieyron, receive the ashes of a new Theseus or a new Aratas—escorted by his old companions in arms, let him be brought back in his coffin, who so often returned amongst us in a triumphal car, amidst the acclamations of all France; but let us at the same time remember well, that it is the great captain whom Europe, Asia and Africa beheld covering our standard with immortal glory, we are thus honoring, and not the monarch, who, while seizing the sceptre of Charlemagne, and the crown of Didier, did not sufficiently feel that liberty is the most precious of our rights, as being the most indispensable of our possessions. I, therefore, vote for referring the petition to the minister of the interior.

M. de *Lameth* opposed the proposition of the general. He declared that he had no wish to detract from the glory of the great captain of modern times; but this captain had enslaved the nation—he had violated the charter—(here a voice exclaimed, the charter!)—and every one of the national rights; he was the cause of the invasion of France—he sacrificed every thing to maintain his imperial crown—he even committed the ridiculous excess of marrying himself to a royal princess. "Napoleon," continued the honorable deputy, "is dead, let his ashes rest in peace,

for I am apprehensive that if they should be at this period brought into France, they might give birth to fresh trouble. I, therefore, move the order of the day."

M. *Jacqueminot* said, that after the speech of general Lamarque he should have abstained from delivering his sentiments, had not M. de Lameth moved the order of the day. The charter had been mentioned, but Napoleon could not have violated that which was not in existence.—(The constitution—the constitution.)—Napoleon had not violated the constitution.—He re-established order, restored religion—rendered France the first among nations, as much by her civilization as by her victories. His ashes might be claimed without danger, now that all France had united in one sentiment. The honorable deputy declared that he abstained from enlarging on the exploits of the emperor, which were amply proclaimed by the sculpture on the column.

The order of the day being put to the vote, was adopted by a great majority, and consequently the petition was rejected.

CULTURE OF SILK.

The following letter from our public spirited fellow-citizen, Mr. *Duponceau*, is valuable both for its facts and its suggestions; and it increases the obligations of the public to the venerable writer for his persevering efforts in an object of so much importance to the true independence of the country.

Philadelphia, 10th Nov. 1830.

SAMUEL HAZARD, esq.

Dear sir: I am much obliged to you for the communication of the States' Advocate of the 4th instant, published at Milton, Northumberland county, in this state, which you have had the goodness to make to me, together with a sample of *green* sewing silk, made out of American cocoons, by Mrs. Tweed, of that neighborhood, for which she deservedly received a premium* from the Union Agricultural society, established in that county, and which it is much wished to see imitated in all the others.

That interesting lady has been so kind as to make me a similar communication, by sending me a copy of the same paper, and a sample of *yellow* sewing silk, of her own making and dyeing, and of the same quality with that which you showed me. I have shown it to Mr. D'Homergue, who is a competent judge in these matters, and he is of opinion that it is not only equal, but superior to any imported of the same kind. Perhaps, he says, the twisting might be more perfect, if it had been done with the aid of the proper machinery, which is not to be had in this state, unless it should be made at a considerable expense. He has never seen any American sewing silk, which is not too much or too little twisted, because machines made expressly for that purpose can alone give at all times the exact degree of twist, which, if done by hand, supposing it should be with complete success, must employ so much time and labor, that it will always be cheaper to purchase the imported article.

I observe in a note of the editor of the "States' Advocate," that Mrs. Tweed's silk was dyed in decoctions of *garden flowers*, and the colors fixed by chemical *mordants*. This does great honor to the ingenuity of that lady, because it is true, as the same editor justly says, that the colors, particularly the yellow, are very brilliant. But what has most astonished me is, that the worms which produced her silk were fed on the leaves of the common mulberry; by which I understand, *the American wild black mulberry*. I have always understood that the silk produced by worms thus fed, though in all other respects equal to any, was too much saturated with a thick gum, which could not be boiled away without injuring the material. I have been very desirous of ascertaining the fact by experiments, but have not yet been able to procure a sufficient quantity of cocoons of that description. The silk made by Mrs. Tweed would seem to solve the question; yet I shall do all my endeavors to obtain for the next season, at least twenty pounds of such cocoons, and cause them to be reeled and converted into raw silk, and afterwards boiled into floss, by which means I shall be able to ascertain the fact beyond the possibility of doubt.

While I thus pay to Mrs. Tweed the tribute so justly due to her industry, ingenuity and patriotic exertions, I cannot suppress my regret at seeing the importance which is attached in this country to the making of sewing silk, and also vestings, suspenders, stockings, and other fabrics of the same kind, all which are made in Europe of the imperfect cocoons, and of waste and refuse silk, while we employ in these secondary manufactures, the finest silk of our cocoons, which, even in its raw state, if properly reeled, would produce much more by being sold abroad than by being thus manufactured at home. Mr. D'Homergue has justly observed in his essays on American silk, that it is as if we employed the pure gold of North Carolina, in making kettles and saucepans. It is not for sewing silk, nor for vestings, pantaloons or the like, that we pay to France annually a tribute of eight or ten millions of dollars, for her silk manufactures; it is for the articles called lustrings, taffeties, Florences, gros de Naples, and many others with which women adorn their persons throughout the United States, and a variety of other stuffs, all made of that fine silk, which we do not yet know how to apply to its proper use, and which we miserably waste, by employing it in the making of sewing silk and coarse fabrics.

We ought, however, to take warning from our Mexican neighbors. With the finest climate, and the best soil for the cultivation of mulberry trees and the raising of silk worms, they began, like ourselves, with making sewing silk, and what is worse, they made it with a raw material imported from Spain or from China. They easily obtained manufacturers from abroad with their machinery, and they now supply themselves entirely with the most beautiful sewing silk in the world, which sells at home for nineteen and twenty dollars a pound; but not an ounce of it goes abroad, the price of it being too excessive, and that fineness not being required for the use of the article, which, it is well known, requires only to be strong and firm, as it is not perceived after it is employed: they also make shawls for themselves, some of which are very fine, and a few other articles of manufacture, all with imported raw silk. But mark the consequence; they plant no mulberry trees and raise no silk worms, because they find it easier, and in the beginning cheaper to employ the foreign material. I am told that they have lately begun to plant a few mulberry trees in the neighborhood of Acapulco, on the Pacific, but it is easy to perceive that they will soon abandon that project, not finding a market for their cocoons, in the first place, because they do not understand the art of *reeling* or extracting the raw silk, and because the habit is fixed of employing the imported material, a great deal of which, I ought to say, passes through this country on its way to Mexico.

I fear we are treading fast on their steps, with this difference, that hitherto we have only employed our own native silk. But I am told that already some have begun to work China silk into vestings and other coarse stuffs, and I know that in the course of the present year, numbers of silk manufacturers of all descriptions, throwsters, dyers, weavers, &c. have arrived here from Europe, chiefly from England. I have had no less than five of the description of *throwsters*, that is to say mechanics whose business is the doubling and twisting of raw silk by machinery, enquiring of me where they could get work, and when they hear that China silk may be imported or purchased here at a moderate rate, then, perhaps, farewell to our mulberry trees and to our cocoons—they will soon undersell the Connecticut farmers, and oblige them to cut down their mulberry orchards.

I hope this mischief will be avoided, and that can only be done by introducing among us the art of *reeling*, and disseminating it through the United States. By this means markets will be brought to every farmer's door for his cocoons, the planting of mulberry trees will be encouraged, and the nation will be enriched by silk manufactures entirely her own.

I am, respectfully, dear sir, your most obedient servant,

PETER S. DUPONCEAU.

*Mrs. Tweed received a premium of $5, from the Union Agricultural society, for fifty skeins of domestic sewing silk.

MR. MADISON.

From the Edgefield Carolinian.

"Mr. Madison, in his letter against nullification, has *relapsed from the republican faith to the old* FEDERAL HERESIES *that he cherished in the convention of* 1787. We shall leave to abler pens the task of replying to the erroneous principles contained in this letter. It is certain, however, that these principles are utterly irreconcilable with the doctrines of his celebrated report in 1799. On the subject of the supreme court especially, the most opposite opinions are contained in the two documents. If the construction of the report so elaborately set forth in this letter be the true one, that nothing more is meant by the right of a state to interpose for the preservation of the liberties of the citizens within her limits, than the right to pass resolutions against infractions of the constitution with the view of procuring the cooperation of three-fourths of the states, then the time, and labor, and talent, expended in the preparation of this report were most wontonly waisted; for we suppose that none can be so stupid as to deny the right of three-fourths of the states to amend and modify the federal constitution.

"So far as the question between these documents is one of authority, it is obvious that the report, written in the vigor of manhood, and while its author was a prominent leader of the republican party, must have much advantage over the letter written by *the same individual in the decline of age, when he had become a disciple of the Adams and Clay schools.* But the great principles involved in this controversy are not to be settled by mere authority. The American people are remarkable for their intelligence and independence of thought, and will decide all great questions according to the arguments, and not the names, that may be arrayed on one side or the other. If, for example, Mr. Madison's name is to be conclusion of the question of nullification, then, in like manner, we are to be estopped from disputing the expediency and constitutionality of the tariff; for, on the affirmative of these questions, is the authority of Mr. Madison's name in his letters to Mr. Cabell. Not so, however. The important principles contained in Mr. Madison's report will be cherished by the advocates of state rights, on account of the irresistible force of the reasoning by which they are maintained, although Mr. Madison *may now choose to desert them.*"

[Very modest—courteous, and wise.]

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[*From the Greenville Mountaineer, Nov.* 8.]

In Mr. Madison's letter is contained the true theory of our government. It is, as he says, neither a consolidated nor a confederated system, but partakes of the nature of both. Previous to the adoption of our constitution, and, under the articles of the old confederation, our government was purely federal. The states were all *equally* represented.—Delaware exercised as much influence in the deliberations of the nation as Virginia or Massachusetts. The representatives of the nation were chosen by the people. The delegation of each state had one vote, and no more. This was deemed improper and impolitic by the convention which framed the present constitution, and hence the states are unequally represented in the present government. In the house of representatives, the people of the United States are represented in proportion to their numbers. In this house, there is nothing federal in the representation. But in the senate, the states are equally represented, and the senators are chosen by the state legislatures. This branch of our national government is consequently federal in the true sense of the word. Each state has two votes. In the election of a president, the two systems are combined. The electors of each state are in proportion to its representatives and senators. South Carolina, having nine representatives and two senators, is entitled to eleven votes for a president; and New York having thirty-four representatives, and two senators, is entitled to thirty-six votes. Thus are the different branches of our government constituted. How then can it be called a federate government? How can the states be said to be equal? It is true, in the formation of our government it was federal; and the adoption of it was by the states *then* equal. But they were no longer equal after the constitution was adopted.

It is amusing to see the facility with which some persons can change their opinions and expressions about the principles and character of an individual, when it suits their interest or convenience to do so. We discover that those who were the most lavish in their high sounding praises of Mr. Madison, during the last summer, are now his most embittered revilers and denouncers. Six months ago, in the language of these gentlemen, Mr. Madison was a distinguished republican, a leader of the republican party, a sound constitutional lawyer, deeply versed in the nature and theory of our government, a devoted patriot and state right man, an ornament to the age in which he lives, and the political saviour of his country in the reign of terror. But now he is denounced as a federalist, decried as an enemy to state rights, and a friend to consolidation.

His opinions are said to be worth nothing, inasmuch as he has always been changing and shifting from one party to another. The debates of the federal convention are searched for expressions of Mr. Madison's unfriendly feelings to the state governments. Whilst it was thought he was in favor of nullification, it would have been a sort of treason not to yield to the high authority of his opinions; but now we should be governed by the authority and opinions of no one.—We never heard from these nullifiers that Mr. Madison was a federalist, until the publication of his letter in the last North American Review. There seems to be a new definition of federalism getting up in South Carolina. All who are not in favor of these *ultra* state right doctrines of veto and nullification, are set down as rank federalists, worthy of the stake and the inquisition. Such generosity shows the *republican* spirit by which they are actuated—*Carthago delenda est.*

SOUTHERN CONVENTION.

The following is copied from the Milledgeville, "Georgia Journal" of the 10th inst. we have simply taken the liberty to *italicise* certain parts of it; for remarks are unnecessary: and we shall only say "*Lord bless us!*"

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Speaking of the result of the late election in South Carolina, the "Journal" observes—

"It is not with indifference that we, in this state, look upon the excitement which prevails in South Carolina. Every Georgian takes a deep interest in all the proceedings of our sister state to maintain the ground it has assumed respecting the American System. But ought we not to do something besides feeling for South Carolina, and taking a deep interest in her actions? We are a southern state like herself. The productions of her soil are like ours. The oppressive weight of the American System is felt as sensible in Georgia as in South Carolina. If the northern manufacturers and capitalists, *supported by the bank of the United States*, with a capital of thirty five millions of dollars, have succeeded so far in saddling the southern states with an oppressive and ruinous tariff law, and in appropriating and expending the public money as they please, when and where they please, can any body tell where this oligarchy will step in their arbitrary proceedings? Will they confine themselves to the present tariff, and to *unbounded* appropriations for roads and canals? Will they ever be pleased to let the southern states now and then breathe, and their citizens procure the means of covering their nakedness, and satisfy their hunger? No. No. *Cupidity knows no bounds. There will be no stopping place, until the southern states are subjugated, and their citizens slavishly bend the neck to the proconsuls who will be sent here by our northern masters to govern us.* If South Carolina is subjugated, will Georgia be respected? Georgia respected!! Fanatics and hypocrites will offer, as they have already threatened, their services in help of the Indians, in resisting the laws of Georgia, in massacreing our citizens and in burning our dwellings. Myriads of revenue officers, tide waiters, exciesmen, tax and toll gatherers, will enter Georgia from the north, south, east and west, and, *like the famished wolves of the Pyrenees*, will pounce on our store houses, devour our substances, and destroy what they will not be able to carry away.

"*The American System is ruining the southern states.* In South Carolina, where public spirit has always been

more active, and more alive to acts of oppression, that system has produced a fermentation which will end in open resistance, if the obnoxious tariff be not repealed or modified. In Georgia we have been, so far, pretty quiet. Another object has withdrawn the public view from the oppressive effects of the tariff. *If it had not been for the Cherokee question, the excitement about the tariff would have been as great here as in South Carolina.* Our minds have not been so agitated, and if we have looked upon the passing events in South Carolina, with a less degree of feeling than the citizens of that state themselves, it must not be believed that we can tamely submit to the tyranny which has been exercised towards the southern states, and which it appears to be the intention of the American System party to render permanent. No. *Georgia will never submit.* She was the first to resist the encroachments of the federal government on state rights, she will be the last to ask quarters from the enemy, should the southern states be vanquished in the contest which is inevitable between the friends of the constitution, the union and state rights, with the American System party.

"The legislature of Georgia has begun its session.—The subject of the tariff and all the restrictive system, will, no doubt, attract the attention of the members. The joint committee on the state of the republic, will have spirit and patriotism enough to recommend some plan which may lead to a *union of all the southern states* on this momentous occasion, and to a concentration of their means and power. If South Carolina act separately, without the least assistance from the other southern states, her citizens *can die in the trenches*, but they will not be able to resist successfully the invaders of their rights. To produce a sensation abroad—to throw dismay into the ranks of the enemy—*all the southern states should form a firm and concentrated phalanx.* With union among themselves, and having on their side the cause of the union to defend—the cause of equality of rights and privileges—they cannot fail to conquer their enemies. Besides, thousands of our northern brethren, with patriotic and disinterested feelings, will join the south in the struggle; and thousands of others will pray that it may be successful.

"*The president of the United States is on our side.* By his influence, and the influence which the preservation of the union should exercise over every friend of his country, a majority, favorable to the principles advocated by the south, by general Jackson, and by all the followers of the Jeffersonian school, may be found in the 22d congress. If so, the union will be preserved, the federal constitution purged of all impure implications; and the federal government brought back to the simplicity and economy of Jefferson's administration. In the mean time, the southern states must act: They must endeavour to concentrate their views, their plans, and their mode of resistance to all unconstitutional laws. *The legislatures of the several states interested can determine upon the means of accomplishing the objects contemplated.*"

STATE RIGHTS.

Letter from a member of the Hartford convention to a friend in South Carolina.

Hartford, Oct. 1814.

SIR: On the topics that now agitate the public mind, I have never had but one opinion, affecting as well the injury as the remedy. The embargo was a dangerous, palpable, and deliberate violation of the constitution. The injury far exceeds the common estimate, which considers it as unjust, unequal and oppressive. The evil swells, when we consider the motives, tendencies, abuses, and probable duration, to a size altogether alarming. But with the loss of our navigation and commerce, which has prostrated the north, we have had to endure all the burthens of a war. The magnitude of the evil, in this view, would ordinarily be considered cause enough for resistance in the most extreme modes, when, as in this case, it is obvious the common remedy, that of the ballot-box, does not and cannot apply, and when to mention it is to mock the sufferer. In these views, we behold, among other evil results, a power in which we have no practical participation, and over which we have no control, employed not simply in imposing the burthen of the day upon us, unjust and enormous in itself, but in establishing at the same time principles, which in their effect and tendency, subvert first the great pecuniary interest of the north, and next all the protective power of the states. These burthens are imposed to the great injury and perhaps final subversion of the great objects of industry on which they bear. They are unjust and insufferable.

I believe this statement to be faithfully true, except as it shall be wanting in strength, and, if it be not greatly overcharged, does it not exhibit a case involving most deeply and injuriously the interests, the honor and the practical independence of the state? In the same manner it affects all the northern states.

I entertain the opinion that the evil ought not to be borne; that it ought to be resisted at the *proper* time and under the proper circumstances at any and every hazard; "peaceably if we can, forcibly if we must." It ought to be peaceable if possible, but if force be indispensable to effective resistance, we ought to employ it, rather than submit. Submit!—Why the question is, whether we will submit to oppression or not. When I say this oppression ought to be resisted at any and every hazard, I walk on consecrated ground—that of our revolution.

We know it would be useless for one state to resist, therefore we have consulted all the suffering states—they all agree to act together. Remonstrance is useless. That has been tried in vain. We have therefore called a convention. The first inquiry is, what is to be done? One proposed to nullify the acts of congress, and quoted the Virginia resolutions of 1798; but then upon reflection it was considered that the resolutions had not that meaning—and that an empty declaration that the law was null and void would have no effect. We therefore considered the propriety of a northern confederacy. If the northern states will raise an united voice, I have no doubt it will not only command attention, but likewise acquiesce in its demands. The northern states on this subject are one people, one in interest, in feeling, in suffering, in locality and in power, and ought not to separate in resistance, whether peaceable or forcible.—Let them unite, and whatever they demand, if they sustain it in a proper manner, will be granted. Let them unite, and if their *reasonable* demands be not peaceably granted, they may be *forcibly* maintained. I consider force, beyond all probability, if the northern states unite in their counsels and their demands. The fear, however, of this result, has been arrayed in all the horrors of *civil war and disunion*, and has been the great engine, which has been worked against the cause and the friends of state rights, sometimes under the most honest conviction, but oftener with the most crafty designs. War of any kind, if the north does not separate, is visionary, but if it must come, and we meet it under *a united banner*, it will be divested of all the evils of civil war. Disunion will not be our choice, but our necessity. Unless then, some special visitation of Providence shall becloud the intellect of our adversaries in the south in the present struggle, they will not force us out of the union; and no other cause can sever us from it. By the embargo and restrictive system, our navigation was destroyed, our ships rotted at the wharves; our seamen were turned adrift not upon the sea, but upon the land—commerce ceased—property fell—ruin followed. Then came a war, as we believe unnecessary, expensive, and ruinous. These evils are intolerable, insufferable. We have remonstrated; they have turned a deaf ear. We have complained; they have mocked at us: they menace and they defy us.

This disunion, however, is, after all, not so bad a thing. We derive very little benefit from the union. We can protect ourselves. We fear no foreign or domestic enemy. We shall make peace with England—have a free trade with all the world. We shall carry the flour, tobacco and cotton of the south to market: commerce will revive—property will rise—Boston will become the most flourishing city. We shall govern ourselves, make our own president, fill all the places of honor and trust ourselves. We shall become a great nation.

We have not resolved, finally, upon measures. We hope you will save us the trouble. What would you be without us? *Anon.*

GEORGIA LEGISLATURE.

In senate, Nov. 2. Mr. *Floyd* from the joint committee to whom was referred so much of the governor's message as relates to the Cherokee government, made the following report:

The propriety of effecting an entire abolition of the exercise of governmental powers by the Cherokee Indians, your committee consider as settled. The state, by an act of her legislature, has extended her laws, both civil and criminal, over the territory and persons of said nation indiscriminately, and thereby virtually abolished all government over such territory, save her own: and any further legislation, having for its object the prevention of the exercise of sovereign power by the Indians, would have been rendered by such an act unnecessary, had any or sufficient pains and penalties been annexed to the enforcement of Indian laws or regulations. Those who claim the right of managing the affairs of the Indians, having availed themselves of such omission on the part of the legislature, and continue to assemble in council from time to time, for the purpose of making new laws and enforcing them, and others already adopted, for said tribe, has rendered it necessary, in the opinion of your committee, to enact such laws as will prevent in future, the exercise of such assumed powers. The government of Georgia or the Cherokee nation, alone, has the undoubted right of jurisdiction over the territory and persons of said nation within the chartered limits of Georgia. Both cannot possess it. And if such co-equal right could exist, the exercise of such right, by both powers, would be cruelty in the extreme to the Indian. What would be required by the one authority, might be rendered highly penal by the other. The same act being declared criminal by both, would inflict severe punishments twice for the same offence—a state of things not to be desired by any civilized community. Such, however, is now the situation of the Cherokee Indians. They live exposed to the penalties and requisitions of the codes emanating from sources different in their origin, different in their principles, and different in their exactions. In determining which power should yield in this contest of jurisdiction, your committee have had no difficulty, nor can they perceive what violence can be done to the feeling of humanity, when they recommend the abolition of a severe and tyrannical code, and propose to substitute in its place, a humane and republican government. For the purpose, therefore, of more effectually preventing the exercise of power by the head men and chiefs of said nation, they recommend the following bill:—

A bill to be entitled an act, to prevent the exercise of assumed and arbitrary power by all persons under pretext of authority from the Cherokee Indians and their laws—which was read the first time.

Wednesday, Nov. 3. [The first section of the bill forbids any person or persons, warriors or chiefs of the Cherokee tribe of Indians, to cause the meeting of any council or other legislative body of said Indians. The penalty for the offence is confinement in the penitentiary for four years.

The 2d section forbids any person or persons to meet in council, assembly, convention, &c. for the purpose of making laws, orders, or regulations for said tribe. The penalty for the offence is confinement in the penitentiary for four years.

The 3d section forbids any person or persons to hold courts for the purpose of hearing and determining causes, issue process, &c. Penalty, four years confinement in the penitentiary.

The 4th section forbids any ministerial officer to execute any precept from any court in the Cherokee tribe, &c. Penalty, fine and imprisonment in the jail, or in the penitentiary, not longer than four years.

The 5th section makes it a penalty of four year confinement in the penitentiary, for any person to confiscate, or attempt to confiscate, the property of any Indian in consequence of his enrolling for emigration, or offering to enroll for emigration, &c.

The 6th section allows the head men, or chiefs of the Cherokees, to meet any agent or commissioner of this state, or of the United States, for any purpose whatever.]

PENNSYLVANIA POLITICS.

The following extract from a speech delivered by col. *John G. Watmough*, a representative-elect to congress from one of the Philadelphia districts, on the occasion of a public dinner, given to commemorate his election, is entitled to more than usual attention, as embodying in a few words the undoubted sentiment of the state of Pennsylvania, on two highly important topics of the day.

"I have already occupied, fellow-citizens, too much of your time. I crave your patience a few moments longer, while I refer to the two great leading questions of general policy which at present occupy the public mind. I allude to the tariff and a general system of internal improvement. The soundness of the principles these measures involve, has been, for a long time past, admitted not only in all newspaper discussions, but by decided majorities in both houses of congress, whenever either question has come to a vote. The extent to which the principle is to be carried, appears to be at present the only ground of discussion. Time will not allow me, nor is the occasion, perhaps a suitable one, to go into an elaborate discussion of their merits, in reference to our national welfare. But, as a Pennsylvanian, they claim from me a passing word. Upon no point has public opinion been more repeatedly tested in Pennsylvania than upon the subject of the tariff. It is evidently the surest means to afford an equal security to the all-important interests of agricultural industry, of domestic manufactures, and of that species of commerce which the daily developement of our immense internal resources renders so important, and against which the selfish policy of other nations cannot be brought to act. There can be no doubt that, upon general principles, it is the duty of the legislator to conform his enactments to the laws of the moral world. I am free to confess, too, the criminal impolicy of counteracting the beneficent arrangements of a kind Providence. It must be remembered, however, that self-preservation is the first law of nature. As a nation, we certainly cannot be accused of fostering ancient prejudices, nor of the attempt to promulgate illiberal views. It is our duty, assuredly, as it has ever been our endeavor, to correct evils of all kinds. Our position enables us to do much; but, failing in that, to accommodate ourselves to existing circumstances, to neglect no means which justice or sound expediency sanctions to advance our individual happiness or our national prosperity; in fine, to meet other nations with the same weapons which they find it expedient, for their own gain, to employ against us.

"These are a few of the general principles under which the several tariffs have been enacted, and although as principles of morals they are intended to apply rather to the advancement of individual happiness, yet surely their effect must remain the same in reference to nations.

"Let it be remembered, too, that, since the enactment of the tariff, we have experienced no check in our unparalleled advances in the road to prosperity; no diminution of revenue. The national debt is being paid off as rapidly as the law will allow, and every appropriation which the exigences of the nation require, is made at once without recourse to violent means. The same evidences of prosperity which each one of us can appeal to, under our immediate observation, exist every where throughout our whole nation. If there are evils attending this system, they are partial in their character, and it may well be doubted whether in common justice they are to be imputed so much to the effect of its operations, as to the existing peculiar state of affairs throughout the civilized world. For myself, I incline to the latter opinion. With Pennsylvanians, however, this subject admits of no doubt. Our natural position, in reference to our sister states, our vast internal resources, the fertility of our soil, and the prosperity of our two great capitals, the one commanding the waters of the fertile vallies of the west, the other holding the most distinguished station among her sister cities of the east, all, in fact, clearly point out to us, not only the expediency, but the absolute necessity, of affording such encouragement to native product and industry as will place them both upon a proper footing. As to internal improvement, the principle is too well acknowledged to call for an argument here. Under its influence, our vast wildernesses have disappeared, and

our villages have assumed the character of cities. Its constitutionality, as a measure of general policy on the part of the federal government, has been severely and ably tested; but if majorities are to be taken as a criterion to judge by, and we admit of no better guide, the question is at rest. All admit its happy effects in tending to secure the permanency of our blessed union, by adding to the political ties which at present bind us, the strongest natural ones, and by daily opening fresh channels of national wealth and social intercourse. Upon these vital questions, I shall be governed in my public capacity by such motives as become a Pennsylvanian, not, however, as a Pennsylvanian whose principles are to be regulated by the nullifying doctrines of a small district of our southern country, but as one, who, confiding in the unbending political integrity of his native state, and ardent in his affection for the great federal union, will admit of no governing principle which the one will not sanction; of no impulse which the other does not create.

"Allow me to offer you, fellow citizens:

"*The union of sound moral and political principles*—the best means to secure the "integrity of the party," to aid the improvement of the intellectual character, cherish the progress of free principles, and establish upon a certain foundation the happines of man."

ELECTION LAW.—SOUTH CAROLINA.

JUDGES CHAMBERS.

Charleston, 22d Oct. 1830.

The state, vs. *John Nicholas.* } *Perjury.*—Upon a motion on return of a *habeas corpus to discharge defendant.*

The specific charge alleged against him in the warrant of commitment by the magistrate, Mr. Trescot, "*is his voting for a senator and representatives at the election, on the 11th and 12th inst. when he was not a citizen or resident of the state.*"

1st. In order to take a fair and correct view of this case, it will be necessary to take into consideration the law relating to the offence of purjury, and then

2dly. To consider the force and effect of the affidavits offered in support, and exculpation of it.

Perjury at common law is the taking a wilful, false and corrupt oath, by one who being lawfully required to depose the truth in any proceeding in a court of justice, swears absolutely and positively in a matter of some consequence to the point in question, *whether he be believed or not.* 1 Hawk. 172.

This was the ancient definition of perjury, and the offence was confined to cases in a court of justice: but the good sense of mankind, and the modern improvements of the law, have extended the offence of perjury to all false oaths taken before those anywise entrusted with the administration of public justice, relating to any matter before them.

This I take to be the general definition of perjury at common law, in all cases not depending in any court of justice between man and man.

Mr. Blackstone 4 vol. 137, lays it down that the law takes no notice of any perjury but such as is committed in some court of justice having power to administer an oath; or before some magistrate or proper officer invested with a similar authority in some proceedings relative to a civil suit, or a criminal prosecution: for it esteems in all other oaths unnecessary at least, and, therefore, will not punish the breach of them: for which reason, he says, it is much to be questioned, how far any magistrate is justifiable in taking a voluntary affidavit in any extra-judicial matter, as is now too frequent upon every petty occasion.

The oath, to constitute perjury, must be willful and corrupt, that this is *malo animo*, positive and corrupt, not upon surprise or mistake, but absolutely and directly; and, therefore, he that swears to a thing according to his *knowledge*, or as he *thinks*, *remembers*, or *believes*, cannot in respect to such oath be found guilty of perjury.

Now from the very definition of this offence of perjury, as explained by sergeant Hawkins and judge Blackstone—two of the best law writers upon the subject, it is impossible that this alleged offence in the commitment, can constitute the offence of perjury at common law; as the oath alleged to have been falsely taken, was not sworn to in any court of justice or in any judicial proceedings by which the life, liberty and property of any individual, could, by any possibility, be affected, but an extra-judicial oath, taken at an election in order to exercise a privilege of voting, which he conceived himself to be entitled to.—1 Term. Rep. 60—and I have looked carefully over all our statute laws, relating to our elections in this state, and can find none that will warrant the offence *of perjury*, or any thing like such *a construction*, in taking a false oath at an election.

The only thing which I can find, is mentioned in 1st Brevard, 231—by which it is declared, "That it shall not be lawful for any elector in any or either of the parishes or districts which have been subdivided for the convenience of the electors, *to give more than one vote* in the same parish or election district, for senators or members of the house of representatives of this state, under the pain of forfeiting *l.*10 lawful money; and in order to carry this purpose into effect, and to prevent as much as possible the giving of double votes, the managers of elections are required and directed to publish at the time of election this clause, in the several parishes and election districts, on pain of forfeiting *l.*10 to the use of the state. And this appears to be the only penalty imposed by any of our statutory regulations that I can find against irregularities at our elections.

If ever it had been the intention of the legislature to have made it perjury to take a false oath at an election, and to subject the party to all the punishments imposed by the common law for this offence, it is to be presumed that it would have been inserted and enacted on this occasion.

In England, when offences were committed against the elective franchise, it was never attempted to punish false oaths at elections as for perjuries at common law, and, therefore, divers acts of parliament were passed imposing heavy penalties for taking false extra-judicial oaths, &c. 23 Geo. 2. enacting penalties for false oaths at elections, and other statutes.

As far, therefore, as my researches have extended, I do not find that this offence, (even where it has been committed), has been extended by any statute whatever in our state so as to constitute the offence of perjury.

E. H. BAY.

STATE BILLS OF CREDIT.

We have already noticed the decision of the supreme court, of the United States, at its last term, declaring that the emission of due bills or certificates by a state, is prohibited by that clause in the constitution which declares that "no state shall emit bills of credit." The following remarks founded upon that decision, are from the *Fayetteville Observer*.

This decides the question as to the constitutionality, (and the public have decided as to the inexpediency), of the issues of treasury notes by the state of North Carolina: and it is hoped, will prevent any further issues of the kind. These notes are rapidly finding their way back to the treasury, and the mutilated state in which they are, generally, must soon put a stop to their circulation. It is thought that there will be no difficulty in supplying their place with silver change.

But, does not this decision settle a much more important question? Is it not directly in the face of any law that North Carolina can pass creating a bank of the state, such as has been proposed to every legislature for ten years past, and such as will again be proposed at the ensuing session? Where is the difference between a 'certificate' such as that issued by the state of Missouri, and a note issued by a bank created and owned by the state of North Carolina? And if there be none, the state cannot of course recover upon a note given for the loan of such bank notes. Mr. Gaston's arguments in support of this view of the subject cannot be forgotten; and it is gratifying to those who desire to save the state from the evil consequences of embarking in banking, that this decision of the supreme court has come just in time to warn our legislators of the danger of such an experiment.

The following are the closing remarks of chief justice Marshall, in giving his opinion in the case mentioned above:

"In the argument we have been reminded by one side, of the dignity of a sovereign state, of the humiliation of her submitting herself to this tribunal; of the dangers

which may result from inflicting a wound on that dignity; by the other, of the still superior dignity of the people of the United States; who have spoken their will, in terms which we cannot misunderstand.

"To these admonitions, we can only answer; that if the exercise of that jurisdiction which has been imposed upon us by the constitution and laws of the United States, shall be calculated to bring on those dangers which have been indicated; or if it shall be indispensable to the preservation of the union, and consequently of the independence and liberty of these states: these are considerations which address themselves to those departments which may with perfect propriety be influenced by them. This department can listen only to the mandates of law, and can tread only that path which is marked out by duty."

DELAWARE BREAKWATER.

The following is extracted from the 4th volume of Carey and Lea's *Encyclopedia Americana*, a work of great merit and utility, and containing a mighty mass of important information regarding our own country, within a small compass.

The Delaware breakwater is situated at the entrance into the bay of Delaware, near cape Henlopen. The anchorage ground, or road stead, is formed by a cove in the southern shore, directly west of the pitch of the cape and the seaward end of an extensive shoal called the *shears*; the tale of which makes out from the shore about five miles up the bay, near the mouth of Broadkill creek, from whence it extends eastward, and terminates at a point about two miles to the northward of the shore at the cape. The breakwater consists of an insulated dike or wall of stone, the transversal section of which is a trapezium, the base resting on the bottom, whilst the summit line forms the top of the work. The other sides represent the inner and outer slopes of the work, that to the seaward being much greater than the other. The inner slope is 45 degrees; the top is horizontal, 22 feet in breadth, and raised 5½ feet above the highest spring tide; the outward or sea slope is 39 feet in altitude, upon a base of 105¾ feet; both these dimensions being measured in relation to a horizontal plane passing by a point 27 feet below the lowest spring tide. The base bears to the altitude nearly the same ratio as similar lines in the profiles of the Cherbourg and Plymouth breakwaters. The opening or entrance from the ocean is 650 yards in width between the north point of the cape and the east end of the breakwater. At this entrance, the harbor will be accessible during all winds coming from the sea. The dike is formed in a straight line from E.S.E. to W.N.W.: 12,000 yards is the length of this portion of the work, which is destined to serve the purposes of a breakwater. At the distance of 350 yards from the upper or western end of the breakwater (which space forms the upper entrance) a similar dike, of 500 yards in length, is projected in a direct line, W. by S. ½ S., forming an angle of 146° 15′ with the breakwater. This work is designed more particularly as an ice breaker. The whole length of the two dikes above described, which are now partly commenced, will be 1,700 yards: they will contain, when finished, 900,000 cubic yards of stone, composed of pieces of basaltic rock and granite, weighing from a quarter of a ton to three tons and upwards. The depth of water at low tide, is from four to six fathoms throughout the harbor, which will be formed by these works and the cove of the southern shore, and which is calculated to afford a perfect shelter over a space of water surface of seven tenths of a square mile. The great objects to be gained by the construction of an artificial harbor in this roadstead are, to shelter vessels from the action of waves caused by the winds blowing from the E. to the N. W. round by the N., and also to protect them against injuries arising from floating ice descending the bay from the N. W.

IMPRISONMENT FOR DEBT.

The legislature of Vermont, at its recent session, passed the following act, which has become a law of the state, and will begin to operate in the course of a few weeks.

Sect. 1. *It is hereby enacted, &c.* That hereafter, when any final judgment shall be rendered by any supreme or county court, or justice of the peace, on any contract made or entered into, after the first day of January next, the debtor may appear before such court, during the same term, in which such judgment is rendered, or before such justice, within two hours after the rendition of such judgment by him, and submit himself to be examined on oath, by such supreme or county court, or justice, and by the creditor, his agent or attorney, touching the situation, circumstances and property of such debtor, and if such court or justice shall be of opinion that such debtor is entitled to the benefit of the oath, named in the second section of this act, the said oath shall, by said court or justice, be administered to such debtor, and a record thereof to be made; and in such case, no execution shall issue on said judgment against the body of such debtor.

Sect. 2. *It is further enacted*, That the oath to be administered to such debtors shall be in the form following, to wit: "You solemnly, sincerely and truly swear, (or affirm) without evasion, equivocation or mental reservation, that you have not any estate, real or personal, except one cow, one swine, or the meat of one swine, ten cords of fire-wood, five bushels of grain, twenty bushels of potatoes, ten sheep, and one year's product of said sheep, and forage sufficient for the keeping of your cow and sheep, through the present or ensuing winter, (as the case may be) and such suitable apparel, bedding, tools and household furniture, as may be necessary for upholding life, and such military arms and equipments, as it is your duty, by law, to furnish, in possession, remainder or reversion, to the value of twenty dollars in the whole, nor sufficient to pay the debt, damages and costs, for which judgment has been rendered against you, and that you have not directly nor indirectly, disposed of all or any part of your estate to defraud or deceive any of your just creditors. So help you, God—(or, in case of affirmation) under the pains and penalties of perjury."

Galignani's Paris Messenger states, that Mr. Swan, the American citizen, who has been confined in the prison of St. Pelagie since the year 1807, will now obtain his release, as the inexorable creditor, who, under the infamous French law, which enables a creditor to keep a foreign debtor in prison for life, had confined Mr. Swan for twenty-three years in one of the worst prisons in the world, is dead.

[Let us not denounce the French law as so infamous, until we are sure that we understand it, and especially until we are sure that it is worse than our own. If we have not been misinformed Mr. Swan might, at any time, have obtained his liberty by surrendering his property. As in cases which have often occurred, in our own country, he *preferred* living in confinement to paying his debts, perhaps upon an ineffaceable conviction that he was wronged by the judgment of the court against him. Before we are so wroth with our friends abroad, let us take the mote out of our own eye. Is there in Paris any law so infamous as allows a man, upon the mere allegation of another that he is indebted to him, to be seized at a distance from home, (say a New Englander, or Georgian, to a visit to Washington), and thrown into goal, and kept there, during his life perhaps, unless he can give bail for one, ten, twenty, or a hundred thousand dollars, as the case may be? Can a man in Paris be warranted for eleven pence, being the cost of a warrant never served upon him, and with the accumulation of a dollar or two's costs, committed to goal upon it, and there kept for ever, or until he takes the benefit of the insolvent law? If such be the laws of Paris, the country is as ill governed as if the city were under the exclusive government of the freest and most enlightened legislature in the world. *Nat. Intel.*]

THE PRESENT LOTTERY SYSTEM.

The old and apparently fair and honest plan of drawing lotteries—was bad enough; but the present is little more, or any thing less, than a *system of swindling*—cold, calculated, rascally swindling.

PRESENTMENT.

The grand inquest of the city and county of New York, respectfully present to the common council, the great

and growing evils of lotteries, which are carried on to an extent beyond the calculation of those who have not paid particular attention to the subject. From the examination the jury have been able to make, they find that from the 12th August last to the 10th of November inst. fourteen lotteries have been drawn, viz:

Three, with 124,000, tickets, at $5, scheme price,	$0,620,000
Eleven, with 376,000, tickets; at $4, scheme price,	1,504,000
500,000	$2,124,000

As lotteries are drawn once in every week, by this ratio there would be for the year 52 lotteries drawn, with about 1,857,000 tickets, amounting to about *nine million two hundred and seventy thousand dollars*. The deduction of 15 per cent. on this sum is $1,390,000. The usual profit of the vender over the scheme price is one dollar for each ticket, being 1,857,000. As there is much apparent mystery in drawing lotteries, the grand jury are not able to state with precision, the amount of money paid weekly or yearly for tickets in this city, nor the profits that are realized by those who are engaged in selling them, or in drawing the lotteries. The calculations above rest upon the fact contained in the schemes as published. If they are defective, it must be shown by those immediately interested in them. Enough may be ascertained upon either ground, to show that lotteries, as now managed, are an evil of the most alarming nature, both in a moral and pecuniary point of view. It is perfectly obvious that no tax of a quarter of the amount that is paid for lottery tickets in this city, from year to year, and lost or worse than lost, could be levied upon the inhabitants at large, without producing the most serious uneasiness, if not disturbances. But the losses by lottery tickets, fall upon but comparitively few, and most of these few are of a class which can ill afford to endure them—and their effect upon morals, are too obvious to be questioned. They create a spirit of gambling, which is productive of idleness, vicious pursuits and habits, which lead to the ruin of credit and character, and frequently to other crimes.

The grand jury are perfectly aware that there is no power vested in the common council to correct, or even to regulate this alarming evil; but they call upon them as the guardians of this community, to take the subject into their serious consideration, and to draft some law, to be presented to the legislature at their next session, to be adopted by them, to relieve the citizens of the immense amount of tax paid by the inhabitants, and to put an end to the innumerable train of evils, which flow from their continuance.

JONATHAN THOMPSON, *foreman.*
CHARLES TOWN, *secretary.*
New York, November 12.

Qui tam suit. George J. Willis *vs.* H. F. Sanders and L. Wilson, brought to recover a penalty incurred under the statute to prevent the making or setting up of lotteries, was tried before the county court of this county, which closed their session last week. The jury found the respondents had incurred a penalty under the statute equal to the whole amount of the scheme, and accordingly returned a verdict for the complainant of $402,660. [*Vermont Gaz.*

MILITARY ACADEMY.

Engineer department, Washington, Nov. 9th, 1830.
Military academy, order No. 33.

The inspector of the military academy in the execution of his duty, in reference to that institution, regularly submits to the secretary of war, for his inspection and observation, the official reports which are forwarded to the engineer department by the superintendent of the military academy; and upon the reports for the last four months, being presented and duly examined by him, he has thought proper to make the following remarks; which are published for the information of the cadets.

Department of war, November 9th, 1830.

"The secretary of war, since his return to the department, has carefully examined the merits and class reports of the military academy, for the last four months, and it is with much regret that he perceives that some of the young gentlemen, under instruction there, are regardless of correct deportment, and of their own interest; while many are found to regard the regulations made for their government, and are pursuing their studies with a correctness of deportment, and with a diligence which afforded presage of future honor to themselves and usefulness to the country, there are a few who appear to be insensible to the object for which they have been placed there.

The young gentlemen at the institution, are proteges of the government; educated in the hope and expectation that hereafter their country may be requited for the paternal care, evinced towards them. Their parents and guardians, too, take a lively interest in their welfare and success. Of what avail will be the most active efforts to render them useful and valuable men, if they disregard law and rule, and devote themselves to idleness and not to their duties.

Misspent time can never be recalled; and, when at an age for judgment to act, they will repent sorely the neglect of those hours, which, being differently employed, might have rendered them useful and valuable members of society, and a solace to their parents.

The semi-annual examination is rapidly approaching, when the conduct and the proficiency of the cadets will be critically looked into. If it shall appear that any, acting in disregard of their interest, have neglected their studies, the academic board must, and will recommend all such for dismissal; and, however, painful to his feelings it may be, a sense of duty will constrain the secretary of war to confirm its recommendation. This being the case, they will be thrown back into the world, and upon their own resources. As a friend, the secretary of war feels it to be a duty incumbent upon him, to warn the young gentlemen of the military academy, in time, that they may be guarded against the possibility of being placed in so unpleasant a predicament.

If dismissed, strong and satisfactory reasons will be required to obtain a restoration. None need calculate on being signalized for favor, for it cannot be extended.

The worthy and industrious cadets must be separated from the vicious and the idle; their interests, and the interests of the country, require and demand it.

If to this timely, friendly admonition, and to the paternal advice so frequently repeated, any shall still turn a deaf ear, let them not hereafter complain: all blame and fault will be their own. The government cannot continue at the institution those who, either from a want of capacity, or from indisposition to learn, afford no hope of future usefulness to the country.

Signed J. H. EATON.

By order,
Signed C. GRATIOT, *brig. gen.*
A copy. N. TILLINGHAST, *lieut. and acting adj't.*

NICE PICKINGS—IN ENGLAND.

Three hundred and ninety-nine peers sitting in parliament, and their families, receive annually from the taxes	£2,752,336
Two hundred and nine peers not sitting in parliament, and their families, receive	978,000
Total,	£3,732,336
The marquis of Bute and family receive	65,811
Lord Eldon	60 400
The duke of Beaufort	48,600
The earl of Lauderdale	33,600
Lord Beresford	29,000
The duke of Newcastle	19,900
Archbishop of Canterbury,	£41,000, with 176 livings.
Bishop of Durham,	61,700, livings unknown
Bishop of London	40,200, with 95 livings.
Bishop of Litchfield	13,590, with 48 livings.
Bishop of St. Asaph	7,000, with 90 livings.
Bishop of Bath and Wells	7,330, with 27 livings.
Bishop of Chester	4,700, with 30 livings.
Bishop of Chinchester,	6,770, with 36 livings.
Bishop of Ely,	21,340, with 108 livings.
Bishop of Lincoln,	8,280, with 36 livings.
Bishop of Norwich,	8,370, with 40 livings.
Bishop of Oxford,	3,500, with 11 livings.
Bishop of Rochester,	5,400, with 21 livings.
Bishop of Salisbury,	14,420, with 40 livings.
Bishop of Cloyne,	7,500, & great patronage,

Total, 3,708,891; which, added to the aforesaid sum of £3,732,336, amounts to the sum of £7,441,227; which will maintain 220,824 families, at £50 a year, and upwards, each family.

[The preceding list is imperfect—unless certain of the bishops are included in the *first* item.]

NILES' WEEKLY REGISTER.

FOURTH SERIES. No. 15—VOL. III.] BALTIMORE, DEC. 4, 1830. [VOL. XXXIX. WHOLE No. 1003.

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT $5 PER ANNUM, PAYABLE IN ADVANCE.

☞We have been compelled at least to postpone, an unusual quantity of matter this week—and, as congress will be in session on Monday, we shall continue much pressed for room. But some space will be obtained by extra sheets; which we are always ready to give, when feeling an ability to encounter the cost of them.

It was only a day or two since that we received a copy of Mr. Burgess' address to the American Institute, at New York, which we had the pleasure of hearing delivered. We had intended to have given it a prompt insertion, by means of an extra sheet—but must *now* postpone the intention, because of the press of current matter incidental to the meeting of congress. The reports from the different departments, &c. we think, will be longer than usual, as well as highly interesting to the public.

There was a grand celebration at New York on the 26th ult. (postponed from the 25th, because of the great inclemency of the weather), in honor of the late revolution in France. It is said that about 30,000 persons were in the procession. Some of the trades made a beautiful show. A vast multitude of persons attended from places adjacent, to behold the spectacle and partake in the good feelings that prevailed on the occasion.

☞We now, with great respect, and more than usual diffidence, present to the *consideration* of our readers, the essay as promised in our last number, on the *circulation of values*. It has cost us more time, reflection and labor, than any such article that we ever prepared—not because of difficulty in comprehending the various parts of the widely extending and exceedingly important subject, but in gathering, arranging and condensing, and bringing into something like a regular shape, the thousands of things, (literally speaking), which pressed themselves upon us, as if demanding attention. There is no *mystery* in the things themselves, and we are habituated to compositions of this sort—but our intellect is too obtuse to grapple the various and mighty points presented, at once—and prepare and simplify them for general use. But the most unpleasant part of such labor is, that, when a subject which has not been often and familiarly discussed, the writer does not know how far he ought to proceed in *thinking* for his readers, or what may best be left to their own reflections. Hence there is always danger of repetition or tediousness—or of obscurity. We have exerted ourselves to avoid either; but the length of the essay, it is apprehended, will prevent some from honoring it with an examination, though generally zealous to investigate the principles exposed: still we believe that, in justice to those principles, in their numerous operations on persons and things, we may not rightfully reduce its dimensions.

If, however, we have succeeded in plainly setting forth the true causes of prosperity, or the reasons of adversity, we shall rejoice that our labor has not been in vain. An earnest and deep reflection on the *circulation of values*, we think, is about the most interesting of all others pertaining to the comfort of societies, or wealth of nations; and it should come home to the heart of every freeman, for there are none so rich, none so poor (unless actual paupers living on the labor of others), who have not an immediate stake in the operations refered to.

With these prefatory remarks, we submit our essay to the public judgment, only requesting that the facts stated, or suggestions offered, may be *considered* before rejected, if such must be the fate of some of them—in the minds, at least, of those who regard the *foreign trade* of a country as the *summum bonum* of national prosperity—which, as we believe, must be chiefly respected, even in its most flourishing condition, only as an agent in the production of profits *at home*.

"POLITICS FOR FARMERS." This favored essay, according to some rough memorandums which I have kept—has, probably, passed through not less than *ninety thousand* impressions, which great number is still rapidly increasing.* I am, indeed, grateful for the kindness that has been extended towards it—which has caused a resolution to revise and enlarge it a little, by the addition of a few more facts—follow it by a like essay to be called "*Politics for mechanics*," in which manufacturers will be included—and, by an article of about the same length as the first, to shew the intimate and important relation which exists between *all* the different branches of industry, as applicable to the national prosperity, in the "*circulation of values*"——and print the whole in a neat pamphlet, which those interested may place upon their mantle-pieces, or work-benches, to read at their leisure. But without a view to personal profit.

My old and valued friend, the editor of the "Steubenville Herald," in reference to the essay above named, has noticed it, and *myself*, in a manner that I may not speak of—except heartily to thank him for his generous proposition in my behalf; and it is the more agreeable, because that it comes from Mr. Wilson—an old and faithful fellow-laborer in the same general cause, of about twenty-five years standing.

HOME TRADE. We have an admirable letter from Mr. Rush, late secretary of the treasury, in reply to a compliment paid him by the proprietors of a line of packets running between Philadelphia and Providence, R. I. who have called one just launched the "Richard Rush." In their note to him they state, that sixteen years ago only, their business between those places did not fully employ a sloop of 37 tons, making one trip in two months—that they now have six staunch schooners of 70 tons, in the trade, so arranged that one departs from each port *every* week, with full freights both ways—and they suppose that the property annually transported by them is worth $1,500,000, which they attribute to the progress of manufactures in Rhode Island, and the great developement of the mineral and agricultural products of Pennsylvania. These facts afforded Mr. Rush an opportunity, or rather invited him, to speak of the benefits of the system that we support, and he has spoken, indeed, with power. If we had received a copy of his letter before our own long article was in type—we should preferred its insertion, in the present number; but will give it a place as soon as we consistently can.

JUDGE SMITH, OF S. C. The address of this senator from South Carolina, to the people of that state, is presented in the following pages—believing that, on several accounts, it required a publication and record from us. Judge Smith is severely against the "American System," and we are willing that all should hear what he has to say against it—but he is also opposed to *nullification*, and the ambitious views of certain men, who would drown the whole world, with another deluge, if they could, like old Noah and his family, find an ark to bear them safely to some *high* place—from whence they might spread a dominion.

A strong attempt will be made against the re-election of judge Smith—as the following extracts from the *Columbia Times* will shew.

"The re-election of judge Smith will prostrate South Carolina in the dust. It will be a ratification of the ultra-submission doctrines of his late address; and any further effort to induce the belief that our state will now, or *ever* resist the aggressions of the general government, will not only be useless, but utterly ridiculous. There will be no course of resistance left but by

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* Without any agency on my part, except in publishing the original essay in the REGISTER.

BLOOD. Every measure, short of one leading directly to the *ultima ratio*, will be laughed to scorn, as the empty vapouring of a *hacking bully*."

"There are many men who would have as soon believed that the sun would wander from his course, as that judge Smith would have recommended South Carolina to kneel at the foot-stool of the presidential chair, or AGAIN *place her interests in the keeping of* a faithless corrupt, all-grasping, and omnipotent *majority of congress*."

[So we are to be ruled by an "*omnipotent*" MINORITY—a lean, and lank one, of the *people* of the United States! We fear there is no prospect of the re-election of judge Smith, unless the choice is a little postponed,—and then, such men as he is, as to *nullification*, at least, will come into fashion.]

APPOINTMENTS BY THE PRESIDENT. *Joseph Friend* to be receiver of public moneys for the district of lands subject to sale at Ouachita in the state of Louisiana, vice Henry Bry removed.

Daniel Lane to be collector of the customs for the district and inspector of the revenue for the port of Belfast, in the state of Maine, from the 30th day of November, when his present commission will expire.

John M. M'Calla to be designated collector of internal revenue and direct tax, for the state of Kentucky.

LITERARY WORKS. The "Southern Review," published at Charleston, S. C. and the rev. Mr. Flint's "Western Quarterly Review," published at Cincinnati, have both been discontinued for the want of efficient support.

MAINE. At the second trial, *Edward Kavanah*, esq. administration and "anti-tariff," has been elected a member of congress from Maine. At the regular election in September last, the votes were—for Mr. Kavanah 3,021, Moses Shaw 2,954—scattering 405. Now the vote stands for Kavanah 2,048, Shaw 1,599, scattering 256. Total in September 6,380—in November 3,903—comparative deficiency of votes 2,357——an exhibit of carelessness as to the issue, not very flattering to the *patriotism* of the people, on either side—or shewing the folly of *forcing* a majority to agree, by repeated callings of the people to the polls.

The representation of Maine in the next congress, stands—1 tariff and 6 anti-tariff.

SOUTH CAROLINA. The legislature of this state met at Columbia on the 22d ult. Henry L. Pinckney, esq. editor of the Charleston Mercury, was elected speaker of the house of representatives—For Mr. Pinckney 63, Mr. Dunkin 31, Mr. Speer 26. The Columbia "Times" regards this election as a "complete triumph of the convention party." It seems that Mr. Speer was the decided anti-convention candidate, and that Mr. Dunkin received the votes of the moderate men of both parties—unpledged on that subject. It requires two thirds to call a convention, or, according to the vote taken, 80 in the affirmative—so that the result appears uncertain. Very nearly all the members were present.

On the 25d, gov. Miller sent his message to both houses. The parts that relate to subjects of general interest, we shall speedily insert. These are severely anti-tariff, decidedly favorable to a convention, and run into fullest *nullification*,—saying, "If congress has the right to pass on its own power—*so have you*"—and that "constitutional protection" [*by the state*], may be interposed against "unconstitutional exaction," [*by congress.*] This covers the broadest ground.

GOLD. The unexampled richness of a large portion of the southern states, in this precious metal, must, in time, produce a great effect on the condition of our country, whether ultimately for good or evil we leave to the professors of political philosophy to predict. The annexed statements would scarcely be credited, if they were not sustained by authority so respectable.

Charlotte, N. C. Nov. 22. We have been informed, from undoubted authority, that at Mrs. H. Harris's mine in Cabarrus county, there was found by Mr. Isaac M'Clellan, a few days ago, two thousand five hundred and forty penny-weights of gold in 110 bushels of earth, one half of which was obtained from *six* bushels only. The whole was found in a vein about fifteen feet below the surface. This is the most extraordinary product that we have heard of yet, and from the manner in which it was communicated to us, we have no doubt as to the correctness of the statement. The whole amount of 2,540 dwts. was sold in this place last week. [*Miners' Jou.*

A large vein of gold, (says the Salisbury Journal), has recently been discovered in the mine belonging to Messrs. Henderson and Wilson, near King's mountain, Lincoln county, the ore from which, we are informed, is worth $3 20 per bushel.

A large "particle." We have just received a letter from R. L. Powell, esq. an owner of one of the principal mines in Habersham county, Ga. dated the 4th instant, from which we make the following extract:

[*Rutherford Spectator.*

"I will give you some little idea of the production of the mines in this county. I secured, a few days since, out of the creek, a piece of gold which weighed two hundred and twenty-seven penny weights and twenty-seven grains. I have no doubt in declaring my opinion, that gold is deposited in the same ratio with the magnitude of the stream it is found in. Our attention at present is a little turned to the hills: I think they will be equally profitable."

CIRCULATION OF VALUES—OR CAUSES AND EFFECTS. We believe that the Boston banks are discounting promissory notes at 5 per cent. and we see it officially stated that the Union Bank of Maryland will make loans, on pledges of approved stocks, at a less rate than 6 per cent. per annum. The United States three per cent. stocks are worth 93½ per cent. and the 4½ per cents, though there is a prospect that they will be promply paid off, obtain a price above par. The rate at which the 3 per cents. may be redeemed, as established by act of congress in 1817, is 65 per cent. It is probable that the United States, just now, might borrow a vast sum of money at an interest rather less than 4 per cent. if made irredeemable for a considerable length of time—a delayed period for payment being preferred to an early one. Mighty amounts of money have been vested, during the last ten or fifteen years, in reducing wild lands to the plough—in the enlargement of our cities, towns and villages, and in building houses, and making other improvements in almost every part of the country, such as roads, canals, bridges, &c. and yet almost every well-managed bank desires to lend more money than is called for, and capitalists, generally, are much at a loss how to keep their surplus cash in productive employment.

In 1805, 1806 and 1807, when the population of the United States was about 6,500,000, a million of slaves included, we exported an average annual value of nearly 44 millions of dollars in domestic products, and 57 millions in foreign articles, together 101 millions a year. In 1828, 1829 and 1830, the population being about 12,000,000, two millions of slaves included, we shall export an average of about 54 millions in domestic products, and of 18 millions in foreign articles—together 72 millions a year. Had the amount of our exports kept pace with the increase of our population, we should now be sending away 80 millions worth of domestic products and 100 millions of foreign articles. In the first period of three years there was much bustle, and we seemed to be making a great deal of money; and its interest, on the whole that was variously borrowed, exceeded 9 per cent. for our cities were filled with *brokers* and *shavers*. In the second period, every sort of business seems to proceed quietly—and, though the *new* property of the country, created since 1805, in *improved* lands, houses, factories, roads, canals, water courses, mines, &c. cannot be of less value than—— millions of dollars,* the banks overflow with money, all

*We had filled up this blank with 3,000 millions, but prefer to let it pass as it is—in blank. Our numbers have increased since that time in 6,000,000 persons, we are, in all 12 millions. If the acquisitions of *new property* in 25 years, has only been at the rate of 100 dollars for each person, or no more than 5 or 6 dollars, individually, the aggregate would be 1,200 millions. And since 1805, how great has been the progress of improvement every where

the world is indebted to us, the exchange on England is below par, and the interest, on approved loans, does not exceed 4½ per cent. The people too, are far better fed, clothed and accommodated, in every respect, than they were in 1805—debts are more certainly collected, and extensive bankruptcies less frequent. We may as well say, that the planetary system was organized by chance, as that these important events are the result of accident. It is then well worth our serious enquiry,—*what has caused them?*

From the great comparative decline of our *foreign trade*, it is certain that we must look *at home* for these acquisitions of value and increased comforts, which a people who have *duplicated* their number, enjoy.—And *we* easily refer glorious results to the new and profitable employments of the laboring classes—the developement of the resources of our country—the new stimulants afforded to industry, by all sorts of internal improvements, in opening new markets——in short, because "*the consumer has been placed by the side of the producer*," urging onward those vast and rapid *exchanges of values*, which we shall speak of below. We hear of "distress" in some parts of the United States,—but there is no manner of question as to the unrivalled prosperity of the people in general, and especially of those who, with their own hands, labor; *and it is in these that creations of value must be found.* The amount of our foreign trade, when in its greatest activity, was a small thing compared with these creations of value. Its *whole* amount—in domestic or foreign articles, if regarded as profits earned, would allow to each person now in the United States less than 8½ dollars per annum—or 16 cents a week, for subsistence, clothing, shelter, &c. which cannot have less than an average of $100 a year, for every individual. The foreign trade, then, can do but little to sustain the people of the United States, whose domestic *circulations of value* are more than one thousand millions of dollars a year, and *must* exceed that sum, unless a wide-spread misery prevails. We beg the reader's attention while we explain this. We think that it is capable of being demonstrated by very simple elements, indeed.

By the *circulation of values* we mean all the new productions of labor, for the subsistence and comfort, necessity or luxury, of man; such, as, the products of our fields, forests, mines, minerals and earths, and the ultimate values given to them by labor of every description —the building of new houses and the repair of old ones, so of ships or other vessels, machinery, implements and tools; in short, in the doing of any thing needful, useful, or in demand. It embraces as well the labor of a poor woman employed at the washing-tub, as that of a man engaged in the growing of wheat, cotton, or tobacco —of the person who *mends* a tin-sauce-pan, as of another employed in building a ship of the line—the growers of cranberries, as well as the breeders of cattle, horses and sheep, or slaves. It is impossible, that these new values should be worth less than a thousand millions a year. Take a case in which, perhaps, there is the lowest average rate of production,—that of a plantation on which there are fifty slaves, who have but few labor-saving machines to assist in their operations.—At $100 per head—(which would give an annually produced value of 1,200 millions to all the persons of the United States), the entire aggregate would be only 5,000 dollars, to subsist and clothe, and shelter and protect the slaves, by medical aid or otherwise, and supply their owner, and his family, with *all* things which they need, or will, or must have—besides new cattle or implements, with interest on capital, &c. &c. It is very certain, that if slaves do not average the production of an annual value equal to $100 a year, both themselves and their masters must live very poorly. It is such production that we call CREATIONS OF VALUE.

We limit the *circulation* of values by its *creations*. Thus—if a farmer in Vermont grows bread-stuffs sufficient for his own use, it is as much a circulation of value as though he sold it in the market, *because that his subsistence must be had*—and the cost of that subsistence passes into the value of the cattle, sheep, poultry, butter, eggs, or any thing else that he has to dispose of —including his labor given to other employments. If a slave in South Carolina cultivates corn enough to feed himself, the value of the corn as certainly passes into that of the cotton which he makes, as if his master purchased and paid his own money for the corn. The advantage in cultivating corn on a cotton plantation, is simply in placing the "*consumer by the side of the producer*" —or, in the better use of labor and time; and herein is the whole secret that we have to reveal!———A new house built, or an old one repaired, at the cost of 1,000 dollars for labor and materials required, has so much an amount in the circulation that we allude to—but the *sale* of this house, ten times in a year, adds not one cent to the real value of property gained by its erection or repair. Such sales, however, are useful in furnishing inducements to build or repair *other* houses. The famous carrying trade once enjoyed by the United States, because of the wars of Europe, had an amount in one year of 60 millions: but the profit or addition to the national wealth, was only in the value of the *freights* earned, or employments derivable therefrom. Had the property exported been produced in our country, the whole 60 millions, as well as the profit on freights, would have been added to the public wealth. We shall illustrate this by a familiar example—premising that the *localities* made have no effect upon the *general* concerns of the United States, exchanges of all sorts being reciprocal, or affected only by natural or adventitious circumstances, which cannot be changed, or must be submitted to, until great improvements are made, and extensive alterations in habits accomplished.

Say,—100 barrels of flour descend the upper Susquehannah and arrive at Baltimore. Maryland is enriched by this proceeding only in the amount of the freights carried by her own people, in the drayage, cooperage, storage and merchant's commission on sales.—The whole proceeds, less these charges, are paid to the owner of the flour, and he carries off the money to cast it into the circulation of Pennsylvania or New York, wherein its value was created—for, if it be his wish to make exchanges of goods in Baltimore, he cannot—because of the cost or difficulty of transportations home. But when 100 barrels of flour, made at our own mills, from wheat grown in Maryland, reaches the market at Baltimore, the whole value is thrown into the business or wealth of the people of Maryland, and has an endless variety of circulation—to mechanics, manufacturers and laborers, indefinitely. This latter value is *turned* among us, perhaps, 15 or 20 times in a year, perpetually assuming *new shapes*, as we shall see below, and benefitting all classes of the people. The former value promptly goes where it ultimately should—being the place of its creation; but without being "turned" for *our* advantage, except in the small things stated.

We hope that, with these presentations of principles, we have succeeded in making ourselves understood as to the *creation* and *circulation of values*—or, in other words, in shewing the relation between producers and consumers, on which prosperity depends. And the more *intimate* the connection is between these, so far is the *real independence* of a people established. We have oftentimes said, and can hardly repeat it too often, that it is the *home-trade* of a country which insures the nation's wealth. Is it not manifest that a farmer and his family, supplying themselves with all that necessity requires,—and, limiting their wishes for comforts or luxuries by the means *present* to obtain them, must enjoy a saucy independence? They do not waltz in spangled shoes nor ride in coaches,—but they have no care for

—how many millions of acres of new lands have been brought into cultivation in certain parts of the old states, and in the establishment of several new *states*, now teeming with busy men—how many hundreds of thousands of houses have been built, how many, theretofore, almost useless water courses and falls, mines and minerals, been brought into action! The ever rapidly changing character of our country, renders it exceedingly difficult to make any estimate as to the value of the new property created, or obtained—but, upon a close investigation, we should not be surprised if an amount between 5,000 and 6,000 millions was rendered probable as the new acquisition since 1805. The increased value in slaves only, is 200 millions, simply because of their increased number, without at all regarding the new values given to lands, &c. by their labor, which is in a much greater amount.

constables, or sheriffs, or marshals! They "fear God, and pay every man one hundred cents to the dollar," of their just debts, and are a "chosen people," Though liberty have no other abiding place, she will find a home in their bosoms—and, cherished and nursed, she will from thence ever spread her wings "for the healing of nations." "Princes and peers may flourish or may fade,"—but a "virtuous populace" is the *parent and the shield of independence*. England could far better "throw overboard" all her princes, and her nobles and government-bishops and priests, than even her spinning jennies and power-looms—much as the latter have been laughed at by the tobacco-growing "philosopher" of Roanoke. Nay,—such "Corinthian pillars" of society would fall of themselves, were such supporters of their *burthen on the earth withdrawn*.

We claim for the United States generally, an unrivalled degree of solid prosperity: but hear of "oppresion," and "poverty" in certain parts of the south, Admitting, for the sake of the argument, that these things exist—let us endeavor to ascertain the causes of them, that the one may be insured and the other removed. To us it is as certain, that the causes are local, or special—and have only a small, if any, relation, one to another, of an irremediable character; and not at all dependent upon the laws of the general government, which, being equal in their *principle*, would bear equally upon all in their *practice*—if all are equally zealous to profit by the good that is in them. "It is not in our stars, but in ourselves, that we are underlings." We pray to *Hercules* for help, without putting our own shoulder to the wheel, and must stick in the mud,—for Hercules will not help the lazy and the careless. The actual condition of all nations, or divisions of a people, shew that it is the productions of *combined* labor which render them prosperous, or the want of such combination that makes them poor. And, though agriculture is the parent of all value, a purely agricultural people never has been, nor will be, the richest—the best fed, best clothed and best accommodated, because of the want of rapid *exchanges* of value. We see how it is that the British nurse their West India islands, by *extra* duties imposed on like productions even from *their own* East India colonies,—and yet capital vested in the sugar plantations of the islands named, does not yield three per cent. profit. The planters of Louisiana receive a *less degree of encouragement*, and yet make a good interest on their capital, because consumers and producers are subject to the same general laws—and *the market of the latter is at home*.

It is in full proof, that the demand for the agricultural products of the southern states, has mightily increased—and at a much greater ratio than that of the population,—while it is equally certain, that every article which the people must of necessity purchase, or, to gratify desire, will have, has been materially reduced in price. These facts admitted, *and they must and shall be*, FOR THEY ARE TRUE,—why is this complaint of "oppression" and "distress" so loudly and piteously raised? And how happens it, that with a greatly reduced foreign demand for their products, as compared with their population, the people of other states are rapidly increasing their wealth, and powerfully adding to the *effective force* of the United States? We shall see. *There must be causes for these things*.

The chief articles of export from the south was as follows—in the years stated.

	Cotton—lbs.	*Tobacco—hhds.*	*Rice—tierces.*
1805	40,383,000	71,252	56,830
1806	37,491,000	83,186	102,627
1807	62,212,000	62,232	94,692
Aggregate,	*lbs.* 140,086,000	*hhd.* 216,660	*t's.* 254,149
Average 3 ys.	46,695,333	72,220	84,716
Aggregate	$32,009,000	$18,389,000	$6,629,000
Average	10,669,666	6,129,666	2,209,666
	6,129,666		
	2,209,666		
Average, dolls.	19,008,998		

In the year 1829—that immediately following the tariff, which was to have ruined every thing and every body, we exported—

264,836,000 *lbs.* of cotton, valued at	$26,575,311
171,636 *tierces* of rice	2,514,370
77,131 *hhds.* tobacco	4,982,974
	34,072,655
Add—	
40,000,000 *lbs.* of cotton consumed in United States,	4,000,000
60,000,000 *lbs.* sugar—at 8 cents,	4,800,000
	42,872,655

We regard the two last, in the amount stated, as *added* since 1805 to the agricultural productions of the south, and as fairly passing into the means of the planters, as though their additional quantities had been exported to foreign countries. The effect is precisely the same.

Now here we have a seven times increased quantity of cotton—a duplicated quantity of rice, an increased quantity of tobacco, and a new product, in sugar, worth nearly 5 millions in one year. There is a "tongue" in these figures that will speak and be heard.

Let us see how it stands with what were the staple products of the other states—using the same years of "commercial prosperity," that the comparison may be just.

Exports of flour and beef and pork.

	Flour—bls.	*Beef and pork—bls.*
1805	777,513	183,457
1806	782,724	153,696
1807	1,249,819	123,456
	3)2,810,056	460,609
Average	936,685	153,536
In 1829	837,385	110,639

So much as to the *quantities* of these leading articles. There is an important decrease in each, notwithstanding the mightily increased numbers of the persons interested in their production.

But further—the following shews the values exported in the years given, being all the chief articles supplied for the foreign market by the states *not* southern—except that some small part of certain of the values is derived from the south, such as flour from Virginia and lumber from North Carolina, &c.

Value, in dollars, of articles exported in the years stated.

	Of Flour.	*Animals.*	*The forest.*	*The fisheries.*
1805	8,325,000	4,141,000	5,261,000	2,844,000
1806	6,867,000	3,274,000	4,861,000	3,116,000
1807	10,753,000	3,086,000	5,476,000	2,804,000
	25,945,000	10,501,000	15,598,000	8,764,000
Average	3)8,648,300	3,500,300	5,199,300	2,921,300
1829	5,793,651	2,563,291	3,040,856	1,817,109

Here is an uniform and large falling off of values—but the following will better shew the excessive decrease.

	Average values. 1805-6-7	*Values*—1829
Of flour	8,648,300	5,793,651
Of animals	3,500,300	2,563,291
Of forests	5,199,300	3,040,856
Of fisheries	2,921,300	1,817,109
	20,269,200	13,214,907

A decline from *twenty* to *thirteen* millions, though the people interested have more than doubled their numbers. We shall soon apply the figures thus obtained.

The dimunition of the *foreign* exports of the eastern, northern and western states, has been partly caused by the increased production of sugar in Louisiana—which has also had a most important and beneficial effect on the price of other southern articles, by diverting a vast quantity of labor from their production. Our trade with Cuba, the most valuable of all to the people of the grain-growing states, has been materially affected by it. The old saying, that those "who cannot sell cannot buy," is just as valid at Havana, as at Columbia, where Dr. Cooper

lectures on "the value of the union." The increased value of sugar made in the United States, 1829 compared with 1805, may be put down at four millions, and to that amount it has probably reduced certain of our exports to the West Indies: we do not admit, however, that a *real loss* to that amount has been sustained, as an anti-tariff "philosopher" would say that there is. But if so—"that rule must work both ways," and how shall the south complain while her exports have been so heavily increased? The truth is that the *foreign trade*, of itself and by itself, is, as before observed, a small affair, even to the cotton growing states themselves, as compared with the value of their own *domestic consumption*.

As we wish these things fully understood, and desire to take from under our opponents the ground on which they think that they stand, we shall make out a table of the population of the several states, dividing them according to the staple productions, as exhibited in the preceding tables of exportations; and make it appear, that if there *is* real cause for complaint, it *is*, and must be, on every account, with those who have no part in the present clamor about the laws—who shew no disposition to *nullify* them.

Population of the United States—1805 *and* 1830.

	1805.			1830.	
	Free whites.	*Slaves.*	*Total.*	*Slaves.*	*Total.*
Maine	189,368		190,212		400,000
New Hampshire	198,242		199,159		300,000
Massachusetts	442,348		447,442		600,000
Rhode Island	69,326	244	73,026		95,000
Connecticut	249,965	630	256,472		300,000
Vermont	185,526		186,180		275,000
New York	730,881	17,851	772,549		1,900,000
New Jersey	210,546	11,636	228,355		310,000
Pennsylvania	686,264	1,250	706,318		1,400,000
Delaware	52,606	5,165	68,473		80,000
Maryland	228,557	109,604	365,119	110,000	415,000
Kentucky	252,056	60,452	313,735	150,000	650,000
Ohio	136,944		138,062		1,000,000
Indiana	14,616	186	15,080		350,000
Illinois (about)	5,000	50	7,000		175,000
Missouri (about)	8,000	1,000	12,000	30,000	150,000
	3,656,245	207,630	3,979,182	290,000	8,400,000
Virginia	535,104	369,743	930,385	450,000	1,150,000
North Carolina	357,148	151,010	526,802	280,000	710,000
South Carolina	205,225	171,258	380,353	290,000	570,000
Georgia	123 242	82,458	207,564	180,000	400,000
Alabama	—	—	—	150,000	320,000
Mississippi	14,171	10,288	24,601	50,000	110,000
Louisiana (about)	27,000	27,000	60,000	110,000	250,000
Tennessee	153,792	29,059	183,437	130,000	580,000
	1,415,682	840,816	2,313,142	1,640,000	4,090,000

RECAPITULATION.

1805.	*Slaves.*	*Free.*	*Total.*
1st table	207,630	3,771,552	3,979,182
2nd table	840,816	1,472,326	2,313,142
Add territories	5,000	17,000	22,000
	1,052,446	5,260,878	6,314,324
1830.			
1st table	290,000	8,110,000	8,400,000
2nd table	1,640,000	2,450,000	4,090,000
Add territories	50,000	115,000	165,000
	1,980,000	9,675,000	12,655,000

The calculations for 1805 are made by dividing the aggregate, as ascertained by the numberings of the people in 1800 and 1810, and is nearly correct—the sums put down for 1830 are estimates only, very closely agreeing with those which we made and published several years ago, but falling short of the estimates for that year more recently made by a committee of congress, who raised the aggregate to the round sum of 13,000,000. In general, our estimates pretty nearly correspond with those of the committee, except in proportionate reductions—and we incline to a belief that *our* numbers will be found rather too high. But that cannot affect the applications which we intend now to make.

And, to avoid all possibility of cavil, or charge of unfairness, we shall account the slaves as individuals—as though they were of the *people*, according to their "federal numbers"—and this is all that can be claimed for them—that is, three-fifths of their nominal amount; observing however, in a matter of this sort, (a calculation of productions), we cannot see any good reason why horses and oxen, and other *mere* working animals, should not come into the account as well as slaves—either being equally property, and neither having political rights, more than the other.

The results then are these—

	1805.	1830.
1*st table*—Free persons	3,771,552	8,110,000
3-5ths slaves	124,582	174,000
Federal number	3,896,134	8,284,000
2nd table—Free persons	1,472,326	2,450,000
3-5ths slaves	504,486	984,000
Federal number	1,976,812	3,434,000

Now for the applications.

The persons in the first table, having a federal number of 3,896,000 in 1805, in the average of 1805-6-7, "the days of our commercial prosperity," exported to foreign countries, of their staple productions, the value of $20,269,000—or 520 cents for each federal unit, annually.

The same persons in 1830, having a federal number of 8,284,000, and exporting as aforesaid, 13,115,000 dollars worth in 1829, in the same staple articles, had only 155 cents for each federal unit, annually.

The persons in the second table having a federal number of 1,976,812, in 1805, had an export as aforesaid of staple articles in the sum of 19,008,000 dollars—or, 960 cents, for each federal unit.

The same persons, in 1830, having a federal number of 3,434,000, and exporting to foreign places, a value in their staple products of $34,072,655, in 1829 (to throw away the value of their cotton and sugar *forced* upon the consumption of other states by high duties, and worth *nine millions more*)—or of 1,010 cents, for every federal unit, annually: but if we include the *monopoly* in the supply of cotton and sugar for domestic use—1,240 cents for each federal unit. [We beg leave to be understood as using the words "forced" and "monopoly" in the anti-tariff meaning. The importation of cotton is virtually *prohibited* for home use—and so is that of sugar, so far as the supply reaches the domestic demand: either as much so as in the case of coarse muslins—but without, as yet, that enormous reduction in [*domestic*] price which has followed the solid protection of the latter; and the south may make cotton cloths as well as the north, if it pleases—but the north cannot grow cotton or sugar. The value of cotton in the United States is fixed by the *foreign* price. But when foreign cotton might be profitably imported by our manufacturers, (as would oftentimes happen, but because of the duty of three cents per lb. upon it), its consumption for home use is *forbidden* by the duty: but when its price approaches 20 cents per lb. that duty may be advantageously paid by American manufacturers—*of which examples are not wanting*. And it must be recollected, that *our* duty on the importation of foreign cotton has no relation to the price of the article at Liverpool. The dealers there care not whence it comes, if it answers their purpose. As to sugar, the duty is as *prohibitory*, so far as the domestic supply extends.]

The result is—that the 520 cents exported by the people of the grain growing and manufacturing states, per federal unite, has been reduced to 155 cents; while the 960 cents of the planting states have increased to 1,010 cents, the federal unit, without reference to the domestic supplies over which they hold a *monopolizing* hand.

What will the "friends of the free trade" in the *south*, say to these things?

So, it is unquestionably proved, that neither the prosperity of the north, nor the adversity of the south, (as admitted for the sake of the argument), *has any sort of relation to the values of their chief articles demanded by the foreign market*. And, as a great excitement, with much bitterness, is felt and expressed because that a different state of things is *supposed* to exist,—we shall yet pursue the subject to bring out a statement of facts and a demonstration of the principles, which affect the interests of the north and of the south. The values of *foreign* exportations have little to do with the prosperity of a people, except as regulating, or balancing the *domes-*

tic trade; and those who generally produce the most, if they husband their profits, must have the most wealth. The waste and wasted time in some families, would make others rich. Laziness is a great curse.

We see that the value of the products of southern agriculture has been wonderfully increased—and yet we hear a cry about "oppression" from the south. Has the price of any thing, no matter what, been advanced on the planters since 1805? With the present foreign export of cotton, the difference between the freights paid in 1805 and in 1829, would annually amount to nearly three million of dollars, in favor of the planters, for the cost of transportation has a direct influence over the value of all commodities, according to the cost of them. If the freight of a pound of cotton from Brazil to Liverpool be 1*d.* sterling, and from Charleston only ½*d.* there is one cent per pound in favor of the South Carolina planter.

Many southern gentlemen have told us what we very well know is the truth, that they never clothed and supplied their slaves with such goods as we have been accustomed to import, so cheaply as within four or five years past; and even *cotton-bagging* is lower than ever it was. They buy a yard of muslin, such as is chiefly given to slaves, for the amount of the "tax" which the "philosophers" say is paid upon it—the material and the manufacture being accounted nothing! It is true, because of the reduced price of cotton, the slaves, *individually*, produce a less value than heretofore—so with the free laborers of Pennsylvania, because of the reduced value of wheat and other grain; but the laws of United State have had no effect either to reduce the price of cotton from 25 to 10 cents *per lb.* or that of flour from 15 to 5 dollars a barrel. The particular value of either, and of both, depends on the operation of laws far more imperious than those of congress—*the immutable laws of scarcity and supply.* A revolution in Brazil—such as took place in *Hayti*, would advance the price of our cotton not less than 50 per cent. and an opening of the British ports, for the liberal reception of only one million of barrels of our flour, would cause it to rise 100 per cent. If the south shall make one third *less* cotton in the present year than in the past, we venture to predict an increase in *price* equal to the loss in *quantity*. These principles are known to every careful observer—and they have perpetual operation. But, and if the value of cotton, or flour, has declined, because of excess production or restricted demand, so has the cost of feeding and clothing laboring persons, and in full proportion. Such free laborers as were paid from 16 to 20 dollars a month in Pennsylvania, may be now hired for 8 or 10—and such slaves as were worth 600 and 700 dollars each, may now be purchased for 300 or 400 dollars. And the price of farming or planting *lands* has been reduced at the same rate, per acre; yet the value of the whole, because of the increased quantities subjected to the plough, is increased—and this it is which constitutes national wealth. Wheat has been delivered at the mill in some parts of the western country, for 25 and 30 cents per bushel, and corn at 12½—hardly enough, one would think, to pay the cost of transporting it. Small, or reduced prices, do not belong to cotton only! The teamsters employed in carrying goods to and from *Pittsburg** —say 30,000 tons to, and 15,000 from, now receive about 1,800,000 dollars a year; at the former rate, they would be paid 3,600,000 dollars for the same services. The cost of freights in ships and other vessels, has been reduced not less than three-fifths of the rate of 1805. There is an universal diminution of individual acquisitions in money, as compared with labor performed—yet, because of extended employment, the aggregate profits are mightily increased; and the value in horses, for hauling goods over the mountains of Pennsylvania, has declined—as well as that of slaves for making cotton in South Carolina; and the *tariff* may as well be blamed for one as the other. And we are not trifling when we express a firm belief—that the *transportations* of persons and goods in and through Pennsylvania, cost more, or are worth more, than the whole cotton crop of South Carolina, when delivered at Charleston. And such transportations greatly increase the *circulation of values* that interests us.

They make a market for grain and hay, and other supplies, all along the roads—and employ many thousands of persons—wagoners, blacksmiths, wagon makers, &c. &c. all whom must also be fed, and clothed, and housed, and very nearly the whole earnings of all these pass into immediate circulation, and make money "plenty"—as we shall now attempt to explain.

Say—there is a certain district in New York in which may be found 1,000 farmers who subsist themselves and their families, and have 1,000 dollars worth each, of bread stuffs and meats, wool or flax—butter, cheese and eggs—knit-stockings, cabbages, home-made "darning yarn," or mittens, cherries, apples, or any thing else, annually to sell—in all 1,000,000 dollars. *It is the subsistence of these farmers, and their families, which creates this value*—for, without the first, the latter *could not be*! There is a market for these products at some village, or factory, at which exchanges for money or goods, as desired, may be made in any hour of the day, and without loss of useful time, for that, with such farmers, "is money." Then these values of the farmer instantly assume *new shapes*. Wheat, or flour, becomes cotton cloth, calves are made into nails, hogs into hats, butter into shoes, eggs into steam-engines, stockings into ploughs, cabbages into window glass—and cord wood becomes horse shoes!—and so on, without number. Then horse shoes become houses—window glass, canal boats—ploughs, horses—steam engines, cloth—shoes, stage-coaches—nails, carpets—and cotton goods, shovels and spades! These again take new shapes, without end—and all the *new* values *go to work*, like a well regulated machine, to produce yet other values. No time is lost—capital is perpetually moving, and the million of dollars, first furnished by the farmers, is completely *turned*, circulated or exchanged, not less than 15 or 20 times in one year. It is true, that the regular crops of the farmer are only once in a year, but they are ready for the market at different periods, and there are *weekly* supplies from the women, in poultry, butter, eggs, garden vegetables, &c. all which promptly command money, and so all things are kept in steady *action*—a "nimble sixpence being better than a slow shilling." *This is the circulation of values*—because that "consumers are placed by the side of producers." And such prompt circulation *reduces the price* of all commodities, for it supplies the place of capital, on which an *interest* must be gained. These people do not run up long accounts at the "stores"—their crops are not pledged before their lands are ploughed, except for other lands or new investments of expected profit, to provide for a new family, that may need a helping hand—and the store-keepers, doing a *cash* business, or what perhaps is a better one, in exchanges which answer them all the purposes of cash with some benefit on their sale, can sell their goods at 10 per cent. less advance, than such as are compelled to "trust" 6 or 12 months, and encounter the casualties of time, by losses incurred from insolvencies—and all the accidents "of flood and field." The interest on his capital must, *somehow*, be paid to the shop-keeper, because of long credits allowed. In the families of the class of farmers to whom we allude, and which are to be found every where "north of Mason and Dixon's line,"—when the ladies rest themselves, they take up their knitting—when wearied with work in the dairy, they mend clothes; and, in long winter evenings, the good man of the house listens to the music of the spinning-wheel, a curious one stringed instrument, old fashioned, but *interesting*. The idea prevails that such people labor severely. It is not so—*in no part of the world are working persons so much at leisure, as in the most thrifty parts of New England, New York, Pennsylvania, &c.* It is because that when a thing *is to be done, they do it*—and neither time nor property is wasted. But more than all—*if they cannot bring up their means to their wishes, they reduce their wishes to their means.* A Vermonter would as soon think of setting his own dwelling on fire, as of purchasing a piano for his daughter, to be paid out of his *next* crop of hay, or sale of cattle or wool—yet there are many pianos in Vermont. Herein are the grand secrets that have covered some of the naturally poorest lands of the United States with beautiful villages and comfortable farm houses, near almost every one of which latter, in the fall-season, we may observe an ample supply of fuel, neatly piled away

* This business may have been, or will be, affected by the canals, &c. We refer to the transactions of 1829.

and well secured from the weather—and the country is closely spotted with village spires, and the cupolas of school-houses and factories—the rapid *circulation of values* converting what seemingly had been almost desolate places into garden-spots, teeming with muscular inhabitants, rosy cheeks and sparkling eyes. The pale face, the sickliness of indolence, has no resting home there; and all above the age of 12 or 13 years, read and write, and have some knowledge of arithmetic, even if "poor factory girls," for whom so much sympathy is expressed—by those who know nothing about them, except that they labor, which is regarded as the "supreme curse" inflicted on humanity—though, in the wise dispensations of PROVIDENCE, the greatest blessing, if not excessive—on which we shall make a few remarks before concluding this essay.

On the other hand—the *circulation of values* at the south is slow—very slow. The surplus produced is only really *turned* once in a year, unless in very small quantity. As before—let us suppose that 200 planters, within a certain district, each make for the market 5,000 dollars worth of cotton, or a million in all. These are spread over a large tract of country—50 or 60-acre farms are as nothing here—the population is sparse—the villages few and unimportant, affording no market for exchanges—and the planters have little, or nothing, but *cotton*, to spare. No small crops of vegetables, butter, cheese, poultry, eggs, knit stockings, cabbages, fruits, and the hundred *little things* which the good housewife in the north attends to, and obtains a *weekly* value for. One great crop, thrown into the circulation once a year, is all that is produced. In the interim, the pass-book, or orders on "the store" too generally anticipates, or severely encroaches upon, the expected produce of the crop; and the price of all supplies is necessarily enhanced,—for the store-keeper must have *interest* on his capital! Thus the million's worth created by these 200 cotton planters, does "the work" only of *one* million, and at a real loss of not less than *ten or fifteen per cent.* because of the want of a *prompt circulation*—for the value of cotton is *fully turned* in not less than fifteen or eighteen months, after planting. It passes to the store-keeper, or the factor on the sea-board, and such must gain an *interest* in the price equal to the *time* required to give it use at *the market*, Liverpool, Havre, or Providence—consumers *not* being placed by the side of producers. The planter may, (by way of illustration), be said to get money, because of *new acquisitions*, only once in a year—but the farmer contrives it so that, by his *new creations*, he has always enough for his *new wants*. The first, unless suffering money to be idle, is in debt—the second, by the activity of his values, owes nobody; to say nothing of the differences of habit between the two, *in expenditures of earnings*. "Economy is wealth."

What we call value, is in its *circulation*. For aught that we know, there may be a thousand millions worth of gold hidden beneath the soil of North Carolina, &c. but it is only in the quantity collected and *circulated* that there is an actual value. The digging of gold, if it yields only enough to subsist the laborers, and give a small profit on capital, (so far as it goes), makes a home market that we so much appreciate. The surplus crops of grain and supplies of meat in the parts adjacent, and which had no creation as value, unless transported east, now have a demand on the spot, and are instantly convertable into money. We hear of much increased profits given to agriculture, because of those diggings for gold—that large quantities of provisions pass *westward* instead of *eastward*, as heretofore.* The "consumer is placed by the side of the producer," and we venture the assertion, that corn or meal, bacon, &c. is worth more at these mines, than at the former markets for such articles, to all the neighboring farmers—that money is "plenty" in parts where it was "scarce" and that the price of all articles, (except for food), usually obtained at "the stores," (as compared with the first cost), has been reduced, because of the greater promptitude, or certainty, of payment for them. We appeal to intelligent merchants, in the neighborhood of the gold mines, for the truth of these suggestions—whether anti-tariff or not.

The effect of the calculation of values may be further illustrated. If we shall take 2,000 square miles of land, including the town of Providence, Rhode Island, we may have a population of 150,000 souls though the town itself is not large; but the district is, as it were, covered with villages and hamlets. The capital employed in this district amounts to many, very many, millions,—and is continually moving. Farms here, (and elsewhere), adjacent to such manufacturing villages, which are rated at 100 or 150 dollars an acre, and will sell for so much money,—if twenty miles removed, (their capabilities being the same), would not bring more than 30 or 50 dollars the acre—because of their inconvenience to market, and the slower circulation of values incident thereto.—There is not, perhaps, any district of the same extent, (leaving out the large cities), near so rich as that which neighbors Providence; for almost every person over 10 or 12 years of age does something to "make money," and the way of keeping it, or expending it advantageously, is fully understood! We think it moderate to say, that 60,000 dollars are paid out, within this district, in *weekly* or *monthly wages*, alone, to mechanics, and other laboring or hired people—*three millions a year*; to say nothing of the business of farmers, proprietors of factories and work-shops, and the chiefs of the numerous concerns, also fully employed or personally laboring, to produce other values. These earnings pass from hand to hand with lightning-like rapidity, and there is more money vested, or capital, in this little district, than would purchase the fee in lands, stocks and improvements, in other states many times more extensive, as to territorial limits, and much more populous. In the factories are many young women who have earned for themselves little fortunes of 500 or 800 dollars each, by careful nursings of their earnings—some 1,000 or 1,500, for, busy themselves, they will not allow their money to be idle:—and their conduct and character is above suspicion. I have seen pearl-crowned and diamond-breasted girls at several *exhibition* places, who would have cast all their jewels "before swine," for nature's own work on the forms, skins, and countenances of "poor factory girls." I believe that the largest collection of lovely women that I ever saw, was in a certain *weaving-room* that might be mentioned. There was a neatness—tidiness—wholesomeness and beauty, among them, that not to have admired would to have been less than a man; and I was satisfied, that they were orderly, virtuous and well-informed—many of them, daughters of independent farmers; for labor is not dishonorable in those parts of the country in which such establishments chiefly abound. These are *not* women.

"To suckle fools and chronicle small beer,"

but fitted for mothers, as the parent of the *Gracchii*—the evil of idleness never besetting—the spirit of inde-

*The making of the New York canals, at a time of much public depression, caused high profits and mighty *calculations of value* in the interior—the market at their doors, made the people rich—the two or three millions of dollars expended in wages on the canals, in any given space of time, were always busy—like weasels, never "caught asleep"—or, if in momentary passiveness, only preparing for fresh and more important enterprises.—We do not deem it extravagant to say, that the expenditure of 10 millions on these canals, has already added 200 millions to the *negotiable values* of property in the state of New York, &c.

We have several times said, that the flour market at Boston and other eastern ports and places, is worth more to the growers of grain in N. York, Pennsylvania, Maryland, &c. than all the rest of the markets of the world. There is no doubt of this. And lately passing from Newburg, N. Y. to Fishkill Landing, in the steam ferry boat, with about 50 head of large cattle, (out of a herd of hundreds waiting to pass over the Hudson), the fact was made known to me by an ancient and highly respectable inhabitant of the latter place—that, a few years ago, nine tenths of the cattle ferried across at that point, proceeded from the east to the west; but that now nineteen twentieths passed from the west to the east; and that the number had been exceedingly increased within 5 or 6 years—and now amounted to thousands. "They are wanted for the factories," said he.

pendence, the growth of industry, continually urging them forward.

We have thus, at much greater length than is desirable, attempted to shew some of the effects of prompt and slow circulations of value—of industry and carefulness, and of idleness and waste; of the use of a ready market with the will to supply it—and the want of such market and an indisposition to profit by one. We have endeavored to bring out these things with a decent respect for the parties interested—unless the truth shall offend. The way to wealth is equally open to all—and if we will not imitate, we should not envy, or hate, those who profit by honest labor. A leading *nullifier*, when from an eminence, he over-looked the *garden-valley* of the "dark-rolling" Connecticut—from whence he might count 15, or more, church-spires, about as many pleasant villages or hamlets, and splendid factories, the intervals being closely dotted with handsome farm houses—exclaimed, "it is because of such things that I hate you," &c. But it should be observed, that this man's passion is continually rendering himself miserable, though just fitting him to assist in the wild doings of his present associates.

We have shewn that the agricultural products of the south have mightily increased, even *pro rata*, although we measure them by the increase of slaves—but threshing machines in New York, are equally a part of the *materiel* for production; and it also appears that the market for the agriculturalists of the north has dwindled down to one third of its former amount, *pro rata*. Things in 1805 are compared with things in 1829—the first representing the "days of our commercial prosperity," the last the *sufferings* of the people because of the tariffs of 1824 and 1828! We avow, that [imported] commodities in general, required by the south, have an average reduction of 50 per cent. in their price since 1805—that property in slaves has declined nearly at that rate—and hence, that the *cost of production* has been exceedingly diminished. To our mind, it is certainly true, that the reduction in the price of articles for clothing, &c. has been materially caused by the domestic competition; but we shall waive that—*it is sufficient that the thing is so:*—why then the complaints about "oppression," "taxation," and so forth? The distress in the south, if it really prevails, is because of the acts of the people themselves, by which they have more and more separated consumers from producers, in the expulsion, as it were, of free laborers from among themselves. Mechanics and others, feeling as if in a degraded cast, only one degree removed from that of the slaves, either seek new homes, or greatly exert themselves to get rank, by refraining from personal labor; and, so soon as they can, become proprietors of lands and slaves: and now a *rivalry* in horses, carriages, equipage, dress, parties, wines, and *personal servants*, commences,—which wastes millions: but the misery is, that those millions are not expended at home, that the cost of new articles obtained, is chiefly lost to the neighboring circulation. Such things do not happen where hard-handed men are respected, and women who milk cows and make butter, are esteemed ladies. A rise in the price of cotton in the south, inevitably adds to the profits of the north, and it is a great mistake in any to suppose, that the "Yankees," wish a low value for cotton. As it advances, the circulation of values is increased, universally; *and high or low price has relation only to the means of payment.*—When flour, the very staff of life, was worth fifteen dollars a barrel, who complained of "bad times?" The immense circulation thereby caused, enabled consumers to pay that price, better than in 1820–21, they could pay five dollars. *Here are the results of experience*—and persons may speculate upon them as they please. *We go for practice.* If cotton were worth 20 cents, instead of 10 cents per lb. a *shirt* would cost a poor man some 10 or 12 cents more than it now does—but half a day's *extra* work obtained, because of the great *additional* circulation of values which such rise of price would cause, (being in the sum of *thirty millions of dollars*), would pay the extra charge or all the shirts he would need for a whole year. With cotton at 20 cents, what vast additional loads of cabinet furniture, pianos, hats, boots and shoes—Foxford bonnets, Newport lace, New York millinery—and thousands of other things for use or ornament, produced in the north would proceed to the south—what large additional sums would be expended in "northern tours," and spread themselves among all classes of persons? No—no; the people of the north cannot desire a low price for cotton! Nor are high prices, for any staple commodity, other than desirable, unless caused by an insufficiency of the domestic supply. In all other cases, they are beneficial, because they increase the circulation of values—in the building of houses, obtaining new furniture and clothes, in making roads and other public improvements, in perpetual *creations of new things*, acting geometrically—production always opening the way for production.

To conclude—the prosperity of the north and adversity of the south, (if they do exist), have no connexion one with the other. They rest upon the different habits of the people. The protection, or encouragement, of the industry of the one, has had no sort of effect upon the profits of the other. A spindle in South Carolina will do as much work as one in Massachusetts—and the same industry in one state as in the other, will produce the same result. By the decline of a foreign demand for their commodities, the inhabitants of all the northern, eastern and western states, have been *compelled* to cultivate their own domestic resources—the increased demand for the productions of the southern states has relieved them of *such necessity*. If then, the great majority of the people are benefitted by the "American System," which, to say the least of it, has had no injurious operation on the minority, (as we think has been clearly demonstrated), how shall we account for the clamor raised against the tariff, except in *political* projects or jealousies, or such feelings as prevailed in the mind of the *nullifier*, when looking over the valley of the Connecticut?

INTERESTING ITEMS.

Vegetable wonders. An appletree, in Newington, New Hampshire, produced three crops of ripe apples this season. Five hills of potatoes, at Halifax, Vermont, produced 1,409 of these nutritious "apples of the earth." Four and twenty cabbages, all on a stump, grew in Winsor, Vermont. Ten thousand forest trees died in Tennessee this summer, from the drought. Captain Hall, of Barnstable, has raised, for the last 10 years, 70 or 100 bushels of strawberries, on one acre of ground. Cranberries may be cultivated with success in dark sandy soil of level surface. [*Boston Palladium.*

November may-dukes. The Reading (Penn.) Journal of November 12, observes: "We this day discovered *a ripe cherry* on a tree in our yard, known by the name of the may-duke. The curious are invited to call and see. Is this not a phenomenon?"

Died, in Union district, South Carolina, on the 6th Sept. ult. Vinson Sprouse, aged 100 years—a native of Virginia. A short time before his death he spoke of emigrating westward, to clear for himself a new plantation!

——, on the 11th inst. in Talbot county, Maryland, in the 73rd year of his age, Nicholas Hammond, esq. late president of the branch of the Farmers bank at Easton.

Benjamin Constant, in a pamphlet, which he published in 1814 on the responsibility of ministers, held the following language, susceptible of being applied to the case of Polignac:

"The death, nay, even the captivity of a man has never been necessary to the safety of the people, for the safety of a people ought to be in itself. A nation which should fear the life or the liberty of a minister deprived of his power, would be a miserable nation; it would resemble those slaves who killed their masters for fear they should come again with the whip in their hands.

British representation—a family affair. Saturday last William Pennefather, jr. mayor of Cashel, and returning officer, held the election of M. P. for the city of Cashel—The rev. John Pennefather proposed the candidate—William Pennefather, sen. seconded him; and Matthew Pennefather was elected the member!!! [*Eng. pap.*

A panther, measuring nine feet from the top of the tail to the point of the nose, was lately killed in the mountain near London, Franklin county, Pennsylvania, by a person who was hunting racoons in the night, and who was ignorant of the character of his game until it fell from a tree, in consequence of a ball from his rifle.

Copper mine. An old cavern in the state of Connecticut, known as an abandoned copper mine, has recently been purchased by a company of individuals from New York, who intend to employ a capital of 50,000 dollars in erecting works and bringing the ore into play. They have procured two skilful miners from England to examine it; who have given it as their opinion that it contains a rich bed of copper ore, which will yield 60 per cent. Such is the confidence of other judges in the wealth of the mine, that the purchasers have had several offers for their bargain. [*Penn. Inquirer.*

A lad, only 15 years old, has been found guilty of murder at Dedham, Mass. and sentenced to death. It was one of the most cold blooded and deliberate acts of its kind that we have lately met with. If we recollect right, in his own account of the affair, said that he had resolved to "*go the whole hog.*" We hope that his punishment will be commuted.

Smyrna. There were eight American vessels at Smyrna, on the 17th Sept. One of them of only 60 tons, 2 guns and 6 men, all told, excited much attention.

Irish theatricals. The following is a correct report of an address delivered by the manager of a small theatre in Ireland, where Mr. Rae was engaged to perform.—There were only three persons in the house:—"Ladies and gentlemen, as there is nobody here, I'll dismiss you all, the performance of this evening will not be performed; but they will be repeated again to-morrow evening."

A grape vine is growing near the bank of the Schuylkill, in the township of Upper Merion, (Penn.) on the farm of Isaac Jones, which measures, at several places between the root and the height of ten feet, from 30 to 35 inches in circumference. It is a curiosity worthy the attention of those persons who have doubts respecting the soil and climate of this country being favorable to the growth of the vine.

Salt water has been discovered in McKean county, Pennsylvania, and arrangements were making for a large manufacture of salt. The spring is situated upon the stream known by the name of the "Portage Branch of the Sinemahoning" creek, near the dividing ridge between the Alleghany and the Susquehannah. A well has been sunk to the depth of only 17 feet, through a hard pan, and not extending to the rock, which produces at the rate of 24 barrels per hour, of 4 per cent water.

Indigo. It is expected that a considerable rise in the price of this article will be caused by the French revolution, for about 400,000 troops will be clothed in blue.

European stocks, unless British, have great fluctuations in price, and are much reduced in value. It is said that the Rothschilds will lose 15 millions of francs, near three millions of dollars, by one bargain they lately made.

[Mentioning the name of these bankers, brings to our recollection the seeing it stated, that the story about the elopement of a daughter of one of them, is entirely false.]

New Orleans. Private letters to the 6th ult. mention the entire disappearance of the yellow fever, and the restoration of the health of the city.

Mr. Rowan, of Kentucky, whilst on his way to the seat of government, met with an accident by the overturning of a stage, so severe as to disable him from travelling for the present. A like misfortune has happened to judge *Test*, of Indiana. He was severely injured, and remains at Cincinnati.

New Jersey. Lewis Condict, Richard M. Cooper, Thomas H. Hughes, James F. Randolph, Silas Condict, and Isaac Southard, are the national republican candidates for congress from this state. The election takes place on the 28th and 29th inst.

Cincinnati. A fire broke out in the night of the 18th ult. in the book bindery of Messrs. Morgan & Sanxay, by which much damage was suffered, and especially in the loss, or great injury, of a beautiful quarto edition of the bible, the first printed in the western country. The fire was so close to the office of the Cincinnati Gazette, as to require a removal of the materials.

Ripe grapes. The Charleston Mercury of the 26th November says—There is now in a garden attached to a house in Mazyck-street, a vine in the open air, having on it several bunches of *ripe grapes.* We are told that prior to the storm in August, the vine had not produced fruit. This is somewhat remarkable. We hope that none of our readers will presume "*the grapes are sour*," as we can assure them, we tasted and found them of as good flavor as that kind of grape usually is when in season.

FOREIGN ARTICLES.

GREAT BRITAIN AND IRELAND.

In the parliament of Great Britain, just elected, there are 156 new members. Of the representatives from Ireland, in number one hundred, only nine are Catholics! Yet the present house is composed of members elected since the Catholic emancipation.

The ex-king of France, and family, had proceeded from Poole for Scotland, where it is said they intend to reside.

TURKEY.

A large part of the most populous quarter of Constantinople has been destroyed by fire, as well as the chief part of Shumla, and a mighty quantity of government stores.

MEXICO.

General Armijo, whose defeat by *general* Alvarez we mentioned, was on the side of the *existing* government, and had been despatched to disperse the partizans of *general* Guerrero. *General* Rosains has been executed at Peubla. *General* Cadallos has issued a peremptory order to *general* Barragan, to march into Valladolid, to destroy the friends of *general* Guerrero.

COLOMBIA.

Certain of the provinces had declared in favor of *general* Bolivar, and he, nothing loath to command, had already despatched *general* Montilla, with 2,500 men, to reduce Rio de la Hache, to his dominion. Some *arrangements* seem to have been in progress between *general* Bolivar and *general* Morales. There are no other than *generals* in these things—they are every thing; the people and their rights, nothing.

General Flores has issued a thundering proclamation against the enemies of "*Dictator*" Bolivar, and talks much about shedding blood. He is looking for *promotion*, and will seek it, through the slaughter of his own fellow-citizens. We begin most heartily to wish that the Colombians, Mexicans, &c. had some protector Oliver Cromwell, or emperor Napoleon Bonaparte, to keep the *generals* quiet, seing that the people have not the intelligence and power to do it.

BRAZIL.

Some excitement has been caused at Rio Janeiro, because that two French midshipmen, on a shooting excursion, had refused to obey the command of the proprietor of the land, and received a whipping from his slaves. They landed 40 men from their ship, seized the planter, took him on board their boat, and gave him 30 lashes with "a cat." The emperor took up the matter, chiefly because of the abduction, and things had proceeded so far, that it was reported that the French minister and consul had demanded their passports—which the emperor not only refused, but likewise detained all the French vessels of war.

GEORGIA.

The committee on the state of the republic, to whom was referred so much of the message of his excellency the governor, with the accompanying documents, as relates to the occupancy and survey of the lands in the present occupancy of the Cherokee Indians, and of that from which they have been removed, have had the same under consideration, and ask leave to make the following

REPORT:

The subject referred to your committee is one of great delicacy and importance, involving in its decision on the sovereignty and essential rights of the people of Georgia, on the one hand, and the qualified right of occupancy on the part of the Cherokee tribe of Indians, on the other.

The right of the people of Georgia to the ultimate fee in the soil comprehended within their territorial limits, as declared in the constitution of the state, and agreed upon by the compact entered into on the 24th day of April, 1802, between this state and the United States, and the right of jurisdiction over that soil, whether it be

in the occupancy of Cherokee Indians or others, and under whatever title they may hold, or claim to hold it, are now acknowledged and conceded by all, who have any respect for their character as statesmen or jurists.

To enter into a labored argument to prove the existence of these rights of sovereignty, which are self-evident to all who are capable of comprehending the subject, would only betray a want of confidence in them, and would be incompatible with the dignity of the state.

It is true, that heretofore the United States government has exercised a controling power over the Cherokee tribe of Indians, so far as to regulate by her laws intercourse between them and the white people. But this power was assumed without authority derived from any legitimate source known to your committee; and the only shadow of warrant which can be adduced for its exercise, is that clause of the constitution of the United States which declares that "the congress shall have power to regulate commerce with foreign nations, and among the several states, and with the Indian tribes."—What Indian tribes? Certainly not those located on the soil, and within the acknowledged jurisdictional limits of a free and independent sovereign state: because to extend this grant of power, so as to include the "Indian tribes," living within the acknowledged jurisdictional limits of any state, seems to your committee to be a palpable absurdity.

The word or term "state" is synonymous with nation or government, and includes in its meaning all the territory forming such state or nation, and all the persons residing in such territory; and therefore, the Cherokee Indians, residing within the limits of Georgia, are as much a part of the state of Georgia, as any other portion of its inhabitants. When, therefore, the grant of power to regulate commerce among the several states, was given by the constitution to the federal government, this grant, *ex vi termini*, included all the inhabitants of the several states, whether Indians or white persons, and consequently excludes the idea of Indian tribes, as separate and independent communities within the several states.

The expression in the constitution of the United States, "*and with the Indian tribes*," must have been intended to apply to such Indian tribes on the continent of North America or elsewhere, as were not included within the limits of any of the several states of the union, because under any other construction it would have no application, or such an one as would come in direct collision with the sovereign right of jurisdiction in the states, and with that part of the grant of power which authorizes the general government to regulate commerce among the several states.

That "a power which can take away or impair a right of property in a state, and at its discretion set bounds to its jurisdiction, exists in the general government," has been asserted by those whose misplaced philanthropy and ignorant zeal for the rights of the Indians, have led them into various other absurdities in regard to our relations with those people, and has been exerted by the general government, contrary to the rights and the wishes of Georgia. The grant of power to "regulate commerce with the Indian tribes," was not intended to mean Indian tribes *within the states*, or it would have been so expressed. But admitting, for the sake of the argument, that such power did exist in the general government anterior to the date of the compact entered into by, and between, the United States and Georgia, on the 24th day of April, 1802, yet it is presumed by your committee, that no man will assert, or seriously contend, that such power exists since the date of that instrument. The United States there expressly cede to the state of Georgia, whatever claim, right, or title they may have to the jurisdiction or soil of any lands lying within the United States, and out of the proper boundaries of any other state, and situated south of the southern boundaries of the states of Tennessee, North Carolina and South Carolina, and east of the boundary line described in said compact, as the eastern boundary of the territory ceded by Georgia to the United States.

Whenever, therefore, the United States attempt to exercise any jurisdiction over the Cherokee Indians within the limits of Georgia, other than that which, by the constitution of the United States, they have a right to exercise in the states generally, and thereby interfere with the right of jurisdiction in the state over all her territory and her people, whether citizens or aliens, white men, or red men, or black men, they manifestly infringe the sovereignty of Georgia, and violate the compact of 1802.

But this power to regulate commerce with the Indian tribes, has been exercised by the general government in regard to the Indians residing within the limits of Georgia. The last act of congress on this subject was passed on the 30th of March, 1802, and is known by the name of "the intercourse law," and from the acquiescence of Georgia, either because she could not, nor did not choose to interfere, as her interests might not at that time have called for such interference, many have supposed that the exercise, on the part of the United States, of this power, was a matter of right. So long as the use of this power by the general government was not injurious to the interests of the state, she had no reason for interposing, nor was she obliged to do so; and a forbearance on her part to assert this right does not impair it. The right exists in its fullest extent, and whenever the state thinks proper to exercise it, she may lawfully do so.

The laws of Georgia have been extended over the Cherokee people by virtue of an act passed by her general assembly at its last session; and if this act be constitutional and valid, as your committee are persuaded it is, according to the principles asserted in the report, then these people cease to have any other legal or political rights, than such as are derived to them from the constitutional laws of Georgia. If they ever were, since the settlement of this state, considered as a separate and independent nation or government, they have ceased to be so, since the extension of our laws over them, because two separate and independent governments cannot exist at the same time within the same territorial limits, the one claiming a jurisdiction over a part, and the other over a whole. And this view of the subject is supported by the course pursued by the president and congress of the United States.

By the act of congress passed at its last session, entitled "an act to provide for the removal of the Indian tribes within any of the states and territories, and for their permanent settlement west of the river Mississippi," the president is authorized to exchange lands beyond the Mississippi, with any tribe of Indians or any individuals thereof now residing within the limits of any state; and also to purchase from such individuals any valuable improvements which they may have. This the president has done in several instances, and has notified to the authorities of Georgia, that such lands, so obtained by exchange, and by purchase of improvements from the Cherokee Indians, are now at the disposal of this state. So far, therefore, as your committee can collect the opinion of the federal government from this law, and the practice of the president under it, it would seem to them that the general government did not, and do not consider the Cherokee tribe of Indians in the light of a nation, state, or sovereign community, but as individuals located on the soil of Georgia, with the right of occupancy only. Your committee, however, wish not to be understood as placing the claim of Georgia, to the right of soil and jurisdiction of that part of the state occupied by the Cherokee Indians, upon this law of congress, or any other act of the federal government. They claim it as an original inherent right belonging to the state, by virtue of her sovereignty and independence, and one which she has never delegated to the general government.

Under this view of the subject, your committee have no doubt of the right of Georgia, in the exercise of her right of jurisdiction, to proceed to survey all the lands within her limits, and now in the occupancy of the Cherokee Indians, as well as that from which they have been removed. And they are of opinion, that it is both expedient and proper to proceed to an immediate survey of the whole, so far as is necessary to ascertain the location and extent of the gold and other mines; and the situation, number, and value of the tracts or parcels of land and their improvements, to which the Indian right of occupancy has been extinguished; and for the purpose of more effectually enforcing the laws of the state in that section of her domain. One object which your com-

mittee have in view, in recommending a partial survey of the country, so as to lay it off into districts or counties, is, that justices of the peace may be elected in such of the districts or counties as have white men of good moral character in them, who will be able to aid in enforcing our laws, and at the same time in protecting the Indians from lawless outrage on the part of abandoned and profligate white men.

In regard to that portion of the territory which was originally in the occupancy of the Creek Indians, and to which their right was extinguished by the treaty of the Indian Springs, and from which the Cherokee Indians have been lately removed by the order of the president of the United States, your committee are of opinion that the tract declared to be ours by the president, in accordance with the opinion of general Coffee, is too small and inconsiderable to authorize the expense of a lottery. But as the president decided the question on the evidence furnished by general Coffee, who was not in possession of all the evidence on the part of Georgia, as collected by col. Wales and Mr. Gates, and on the opinion given him by gen. Coffee; and as the evidence collected by col. Wales and Mr. Gates, on the part of Georgia, (which is very strong), has been forwarded by his excellency the governor to the president, which it is hoped will have the effect to change his opinion, and produce a decision in our favor—your committee would recommend that provision be made by the present legislature for the survey into small lots of the said territory claimed by Georgia, as a portion of the land ceded by the treaty of the Indian Springs; the said survey to be carried into effect by his excellency the governor, as soon as it shall be ascertained and determined by the competent authorities that Georgia is entitled to the occupancy of the same. And they would further recommend that provision be also made for disposing of the said territory to the citizens of the state by lottery, as soon as the same has been surveyed.

And your committee, hoping and believing that the president of the United States, whose laudable and defatigable exertions in behalf of the interests of Georgia deserve and receive the thanks of her people, will be enabled, before the next session of the general assembly of this state, entirely to extinguish the claims of all the Cherokee Indians to the occupancy of the soil of the state, feel it to be their duty to recommend that provision be also made by the present legislature for a further survey of the whole country into small lots for the purpose of dividing the same among the citizens of the state by lottery, whenever his excellency the governor shall be satisfied that the Indian right of occupancy has been extinguished, and that this state has the right according to her constitution to take possession of the soil.

Your committee are aware that there are persons in other states, and perhaps some few in our own, who will disapprove of any course which your committee might recommend, having for its object the preservation of the property, and the rights of the state, in the Cherokee lands, or the extension of the jurisdiction of the state over the Cherokee people. To such persons, your committee have nothing to say, and offer no reasons for the measures they recommend, because such men are the deluded victims of an inveterate prejudice, which no argument can remove, and which reason can never successfully combat. But there may be some both here and elsewhere, who from the want of knowledge in regard to our Indian relations, and under the influence of the purest motives, believe that the state has no right to survey the country, or to extend her laws over the people; and to such your committee feel it to be their duty, as it is also their pleasure, to declare the causes which, in their view of the subject, not only justify but imperiously call for the course proposed to be adopted.

Before the formation and organization by the Cherokee tribe of Indians, of a regular government, they were viewed in the light of other Indian tribes, scattered over an extensive country, depending mainly for existence on the spoils of the chase—claiming no political rights inconsistent with the rights of Georgia—roaming through their forests as free and unshackled as the mountain breeze, and enjoying all the happiness incident to savage life. Whilst they remained in this situation, Georgia had no fears of their ultimate refusal to remove beyond the Mississippi, where more facilities could be afforded them for the enjoyment of the mode of life best suited to their nature and education. The introduction, however, of white men among them, and of many of the arts of civilization,—the intermarriages between them and the whites, and the great influence which these white men have obtained among them by force of the power which knowledge gives—and the present political attitude in which these white men and some educated half breeds have thought proper to place themselves and their people towards this state, have produced a state of things materially different from that which formerly existed. And now, instead of exciting the sympathy of our people for their weakness and their ignorance, they excite their national pride and their resentment.

Again—the day must and will come, and it is not far distant, when, by the constant intermarriages between the Indians and the whites, the original Indian character will in a great degree be lost, and yet the half or mixed breed will retain so much of that character, as to be incapable of enjoying civilized life, and so much of the character of the white man, as to be ill suited to the savage state. Here then will be a sort of mongrel population in the bosom of Georgia, unfit for the character of citizens, and unfit for the wilds beyond the Mississippi; and if they are permitted to reside within this state, under an organized government of their own, owing no allegiance to Georgia, the political absurdity will be produced of one government existing within another.

But this state of things, even if it were now tolerated, could not long continue. The time will come when the people of this state, always jealous of their rights, will assert and maintain the dignity of the state, and either reduce these Indians to a state of subordination to her laws, or force them to leave her territory. The course, therefore, which your committee now recommend, is dictated by the principles of justice, the feelings of humanity, and the most ardent desire for the welfare and happiness of these children of the forest.

The sooner these people remove to a country they may call their own, and where they may have a "local habitation and a name," the sooner will they live in the full fruition of all the joys and pleasures congenial with their savage state, and rendered dear to them by their education and their habits.

In conformity with these suggestions, and to effect the objects recommended in the message of his excellency the governor—your committee beg leave to report a bill.

The committee reported bills under the following titles:—

A bill to authorize the governor to take possession of the gold, silver, and other mines, lying and being in that section of the chartered limits of Georgia, commonly called the Cherokee country: and those upon all other unappropriated lands of the state, and for punishing any person or persons who may be hereafter found trespassing upon said mines—A bill to survey and lay off in districts and lots that part of the territory in this state which was acquired from the Creek tribe of Indians, by a treaty made and concluded at the Indian Springs in 1825, and which has been in the occupation of the Cherokee tribe of Indians, and to dispose of and distribute the same—And also to survey and lay off into districts that portion of the territory of this state now in the occupancy of the Cherokees, for the purpose of more effectually extending and enforcing the laws of Georgia in that part of the state. And also to authorize the surveying and dividing of the same into small lots, and the disposing thereof, when the Indian right of occupancy thereto shall have been extinguished.

Three hundred copies of the report and bills were ordered to be printed.

JUDGE SMITH'S ADDRESS.

From the Yorkville Pioneer and Whig.

TO THE GOOD PEOPLE OF SOUTH CAROLINA.

Fellow citizens :—On the great topics of the tariff and internal improvement, that now so deeply agitate the public mind throughout the state of South Carolina, there are certainly no neutrals.

Indeed, it would appear, that none are to be tolerated, under any circumstances. Every man finds his opinions either called for or expected, and if not given, improper motives are attributed to his silence.

I left home the latter end of June, on a travel with my family, and did not return in time to avail myself of the polite invitations of the citizens of Statesburg and its vicinity, of the citizens of Lancaster district, or of the citizens of Richland district, to partake of their public dinners, (for which I take this occasion to tender them, severally, my most respectful acknowledgments), where I might have mingled in a free discussion and interchange of opinions with the distinguished citizens of those places; or have transmitted my views through the medium of a letter, as many other gentlemen saw fit to do. But, when I left South Carolina, I had no intimation from any quarter, that the people were to be called together, in large assemblies, and those topics publicly discussed before them, and the questions of nullification and convention urged with extreme warmth for their immediate adoption. If such had been the course previously contemplated by any persons whomsoever, they had kept it a profound secret from me. Had a proposition of that sort been suggested, I had no possible motive why I should not have given my views then, as well as other members of congress and other citizens have done. However, returning as I did on the very eve of the general elections, but not in time for my view to have reached every portion of the state, previous to that event, I determined to wait till the elections were over; not in the least doubting, that any thing I might say, if entitled to any consideration, would weigh just as much with an impartial and reflecting community, whose object could only be truth, and whose end could only be the public good, as it possibly could have done, had I uttered it to them in the midst of the most animated and highly excited canvass that perhaps has ever agitated the state. As that contest is now past, and tranquillity in some degree restored to the public mind, such opinions as I have been led to form for myself, under existing circumstances, I beg leave to present, without in the least degree presuming upon their infallibility.

There have been some unkind remarks upon my supposed silence. It is not true that I have been silent. In my speech in the senate last winter, in the debate on Foote's resolution, I explicitly said, *it would not be necessary for the people to rise in their might to put down this system, either by one portion seceding from the union, or by the more direful alternative, a civil war, that would drench the states with the blood of their citizens.* And had what I there said, on the subject of the tariff, been taken altogether, no gentleman could have mistaken my opposition to nullification, the doctrine then urged by some other gentlemen in that debate: or indeed to any other strong measures. I there gave my reasons for my opinion. I went further during the last session of congress, before I left Washington, I wrote to several distinguished gentlemen of my acquaintance in South Carolina, and gave it as more than probable, that both the tariff and internal improvement systems, were fast crumbling away, and would soon be entirely demolished. I gave my reasons why I thought so. When I returned home from congress, I gave it as my belief, and publicly too, to all with whom I conversed, that the rapid decline and speedy dissolutions of those systems, I thought could be no longer doubted. Among the distinguished citizens to whom I made these communications, were the hon. judge Desaussure, and several gentlemen of the bar, at Spartanburg court, in June last. I was also called on there, by the members of the legislature, of Spartanburg district, with col. Isaac Smith at their head, who asked for my opinion, explicitly, whether I thought the legislature of South Carolina ought to adopt the strong measures, of nullification or convention, to arrest those systems. I unhesitatingly told them I thought it unnecessary for the legislature to do so at this time, and under the present prospect of their dissolution by easier and safer means, and gave them my reasons also, for that belief. At this interview, which was public, and in the midst of a large concourse, the hon. W. T. Nuckolls was present; and I know that my views were spoken of without restraint by many who heard them. Nor had I any wish it should have been otherwise. So that my fellow citizens will plainly perceive that the imputation of a studied silence on my part is unjust.

In giving my views I shall not go into any elaborate dissertation of what the constitution ought to have been, or how it might have been better construcetd to secure a perpetuity of equal rights and immunities to the citizens of the different portions of the union. Nor shall I attempt a lengthy analysis of the constitutional principles upon which the advocates of those systems urge their legitimacy: it is sufficient that we know they exist, and that they bear unequally, unjustly, and oppressively upon the people of the southern states, and tend directly to diminish the profits of their labor without any necessary exaction from the general government for so great a sacrifice; whilst they are kept in operation by that government, avowedly for the purpose of augmenting the fortunes and sustaining the speculation of other portions of the citizens of the United States, upon no better authority than what is derived from that inexhaustible fountain of implied legislative powers, "the public good and general welfare;" or from that still more exceptional and more dangerous doctrine, "the power of congress to raise money, and consequently the power to disburse it in the construction of roads, the excavation of canals, or any other extravagant purposes which their cupidity or their ambition may suggest." Either of which if carried out, and adopted as sound constitutional doctrine, would lead directly to intolerable despotism, and extinguish the equality of rights intended to be secured by the constitution.

The evidences upon which my belief was heretofore founded, that the tariff and internal improvement systems were rapidly giving way, and must shortly be dissolved, still exist, and justify me in that belief. As to the tariff, which appears to be the principal object with that class of our politicians who press the nullification and convention doctrines, if I had no other evidence of its decline and fall, I would say it existed in the redeeming spirit of the people of the United States, which has been some time since awakened in other quarters as well as in the southern states. The golden dreams that were held out to the great community, by those who first commenced and cherished the American System, have faded. Moreover, the interests of the manufacturers themselves have suffered. Without stopping to account for it, there is no doubt of the fact, that the best informed and best established manufacturers say, the tariff laws of 1824 and 1828, have proved essentially injurious to them. The price of shares in the cotton, and especially in the woollen manufactories, had fallen twelve months ago, fifty per cent. below the prime costs. Two thirds of the manufacturers have become bankrupts, and many who have escaped that disaster, have tottered. It is a fact not to be doubted, that at least one half of the monied capital of the New England states has been sacrificed by this *mania*. Fortunes that have been accumulating for half a century, have been swept away in an instant. Nor has this been confined to New England alone. Other places have felt the same effects. And when not only the interests which were intended to flow from this system have ceased, but utter ruin followed in their train, the system itself must inevitably be abandoned. Can we shut our eyes upon these facts, that are incontrovertible, and suppose, contrary to every incentive to human action, that a large portion of the manufacturing part of the community will certainly continue to cherish a system that points them to nothing but inevitable ruin?

But there is still stronger ground, a little in advance of us it is true, but as certain as any other human event, that has not come to pass, that will furnish a powerful auxiliary at least, if it does not of itself overthrow this system: President Jackson is determined to pay off the national debt, that has heretofore been counted on as a national blessing of that portion of your politicians, who are desirous of keeping up the tariff and internal improvement. When that period arrives, and which must arrive within three years at the farthest, there will not remain a single pretext for continuing the tariff. And as I have said, on another occasion, who can for a moment suppose that twelve millions of the free people of these United States, will calmly submit to have the direction of the whole of their labor taken out of their own hands and placed under the management of the general government; not to secure a revenue for government purposes, but that the government may, at its discretion, parcel out the profits of the labor of one portion of the union, to bestow it on those of another portion? It will be impossible for the politicians of that day to sustain this system beyond the extinction of the public debt. Nor can I conceive it will then be necessary for this state, or any other state, to resort to secession, nullification or convention, to effect this object. It will be done by a revolution in public opinion, which is already shocked at the absurdity of such a system of inequality and injustice.

These are evidences resulting from this state of things and facts, that form of themselves more than an ordinary ground of hope. But there have been some advances that are practical illustrations upon this subject. The almost unanimous vote of congress during the last session for the reduction of the duty on tea, coffee and cocoa. The decisive vote for the reduction of one half the duty on salt and molasses. The duty on molasses was considered, by the grain growing states of the west, and by Pennsylvania, as very important to their interests, as it cut off the distillation of rum from that article, and prevented a competition with their spirits distilled from grain. The duty on salt was considered important to the interests of many salt manufacturers in the New England states, in the state of North Carolina and elsewhere, who had expended large sums of money in erecting their establishments to manufacture salt from sea water. The salt springs in the interior of the state of New York have given employment and wealth to a considerable portion of her citizens, and a clear revenue to the treasury of that state, of 125,000 dols. per ann. The salt springs in the state of Tennessee, in the state of Kentucky, and in the state of Ohio, have been considered of immense value to the proprietors. The salt springs in the western part of Virginia, are owned by men of large fortunes, considerable family connexions, and of high and honorable standing, and of commanding influence. This unity of interests in those several states, had produced an influence that had sustained a heavy duty on salt for fifteen years. But great and powerful as that influence was, and it certainly was a greater influence than what any other in the whole catalogue of tariff articles could boast, yet it could no longer sustain the duty. The march of public opinion had unveiled the imposition, and that part of the system had to give way. And no man who had examined this system thoroughly will doubt, for a moment, but that this salt tax was the central pillar in this Collossean fabric.

This was considered as an irreparable breach in the system, and so declared, by a gentleman of distinguished talents and high standing, from the state of Massachusetts, who was decidedly opposed to the repeal of that duty. The great state of New York has lost her strongest motive for supporting the tariff. And will not her able and eloquent statesmen naturally look for the next best expedient to promote the interests of their state? And what better expedient presents itself than the protection of their foreign commerce, for which nature has been more than bountiful in providing the best ports and harbors in the world, and to which their habits are adapted? When you take away the motive from so large and respectable a portion of the citizens of different states will they not necessarily abandon a system that can be no longer useful to them? Will they pursue the shadow when they have lost the substance? And are all those evidences, that promise so much, to be disregarded, because we could not carry the whole system at once?

Besides all this, there is a strong probability that some other states, that have heretofore supported the tariff, will discover they have no longer any interest in this system, and of course will abandon it. The West India trade, which, for the last five years, has been so effectually closed against our citizens, and in which the New England states were so deeply interested, is now just opened, upon the most advantageous terms, by treaty between Great Britain and our government. This will restore a great deal of New England capital to its legitimate channel, commerce. Of course it will be drawn from manufactures, and in that proportion lessen the tariff interest in that quarter. New Hampshire has been anti-tariff for some time, if she was ever otherwise. Maine has become decidedly opposed since the late treaty, and was partially so before. She was greatly interested in that trade. Connecticut, that was never very warmly attached to the tariff system, had also much of her capital employed in the West India trade. And there can be but little doubt, that her rapital will be again employed in that way. The New England capital employed in that trade, was not the large money capital of a few rich merchants. It consisted of lumber of all descriptions, and live stock, such as mules, neat cattle, hogs, and of which every laboring man could furnish a portion, and supply his own household, and live a free man. Can we suppose those enterprising people will continue to place their children under a master, to be locked up in manufacturing establishments, subject to all its evils, in preference to the pursuits of husbandry, which now promise such a rich reward? There are many men, of eminent talents, in New England, who are as much opposed to the tariff as we are, who are unceasingly bringing all these things into public view, and giving them effect. Mr. Lee, of Boston, wrote the ablest exposition against the tariff system that has ever appeared; and which has been the source from whence many other essays and expositions, and speeches, against that system, have been drawn. What is to prevent Kentucky from opposing the tariff? or even Ohio? If a few rich capitalists are really profitting by manufacturing, the farmers and graziers, who compose the physical force of the union, are evidently losing. Whilst they are selling a little flour and a little pork to the manufacturers, they have driven the cotton planters, who formerly bought their flour, their hogs, their beef-cattle, their horses and their mules, in great abundance, and at high prices, to rear almost all those things for themselves; these are inducements for them to return to the former state of things. The people of Missouri and Illinois have no inducement to continue the tariff, except a few smelters of lead, who have already so glutted the market, that the price of the article, when sold, will scarcely pay the freight. All these facts exist, and the deductions are irresistible. And it is upon such facts that the redeeming spirit of a free people will operate, and oft times heal governmental evils, that no political machinery can reach.

But there exists another evidence of its speedy dissolution, not less potent than any of those already enumerated. It is the intimate connection of this system with the system of internal improvement, and their mutual dependance on each other, which is distinctly acknowledged on all hands. Destroy the tariff and you will leave no means of carrying on internal improvement; destroy internal improvement and you leave no motive for the tariff. A great proportion of those who now support the tariff will abandon it, because they have no interest in it, but as a means of raising money for the general government to pay for making their roads and canals, which every body knows they ought to make themselves. And I believe the internal improvement system may be said to have expired; if not already expired, it is at least drawing rapidly to a close; and when it does expire, the tariff must follow in its train. I draw this inference from the temper manifested by congress upon that question, during the last session, and the number of bills making appropriations for improvement, that were negatived by the president.

Upon this subject there may be some difference of opinion, if the opinions of other members of congress, as expressed in their addresses to the people, during the last summer, be correctly reported. They deny there is any hope of relief from congress; and do not take notice of any negative by the president except his "*veto on the Maysville road*," and that they consider to be only a 'gleam or glance of light'.* I differ essentially with those gentleman both as to the facts and the deductions.—Congress did no more to paralyze the system of internal improvement during the last session, and gave a brighter hope that they would recede from the principle upon which it is founded, than it has done at any time since the system originated. The Buffalo and New Orleans turnpike road, after undergoing an animated discussion for three weeks in the house of representatives, where the most able talents on both sides of the question, were employed, was negatived by a respectable majority. It had heretofore been considered as holding the first rank in the great system of national roads, and the ligature by which the north and south were to be tied together. The track upon which it was to run, had been three times surveyed by the brigade of the United States engineers, with general Bernard, the chief engineer, at their head. Three years ago preparations were making to commence the work. Mr. Storrs, of New York, who is unquestionably the ablest debater in that house, distinguished himself in opposition to that bill. This gentleman had been accustomed to support that system.

An application to aid in completing a canal that was in a considerable forwardness in the state of Connecticut, said to be of great national importance, failed in the house of representatives. In the senate, a bill for the appropriation was reported by the committee on roads and canals, but the friends of that bill, although they made many efforts, could not get the senate even to hear it.

An application from the Charleston rail road company of this state for an appropriation, if reported in the house of representatives, was never considered. In the senate, it died in the hands of the committee on roads and canals. Four out of five of that committee had previously supported all such applications.

The Baltimore and Ohio rail road, from which there had been more expectation, and more hopes than from any other work of the kind in the United States, and which was patronised by the states of Maryland and Virginia, asked for the aid of the general government, upon a ground that had never failed in other cases, that it was not only to be one of the great avenues between the western and Atlantic states, but was to be the great thoroughfare for military transportation from the west, to defend the sea coast in time of war. General Smith, one of its devoted patrons, a distinguished, active and influential member of the senate, after a bill had been reported for an appropriation, could not prevail on the senate to consider it although he made many and zealous efforts.

All those roads had been surveyed by the United States engineers, under the direction of the engineer department, and large sums had been expended by the general government for the surveys of the Buffalo and New Orleans turnpike and the Baltimore and Ohio rail road—With all this preparation, expense and patronage by the general government, congress refused to consider any but the Buffalo and New Orleans road, and that only to give it a negative. These were evidences of opposition to that system which congress had never manifested before. And these evidences were all exhibited before the president rejected the Maysville road. Which proves congress did not act under presidential influence, but from a new impulse against the principle itself. Three years ago all those appropriations would have been made without hesitation. Such a succession of negative action, was a pretty strong evidence that the zeal with which congress had heretofore sustained this system had greatly diminished: but to an observer on the spot, who witnessed the ardor of the friends of those bills to get them up for consideration, and the determined manner of an overwhelming majority of the senate, to refuse them so much as a hearing, furnished more than a probability that road making, by congress, was fast in the decline. And is itself an evidence of an unexpected re-action.

It is said the president's message, accompanying his *veto of the Maysville road*, as gentlemen have called it, is equivocal, and unsatisfactory, and gives no assurance that he will exercise his official authority to arrest the further progress of that system. I will not attempt to scan this message with the nicety of a critic, but will view the whole scope of his action upon this subject; which must lead to a different conclusion.

He negatived this *Maysville and Lexington turnpike road*, by which he incurred the great displeasure of many of his friends and of many other influential characters in Kentucky, as well as elsewhere in the western states.—For this was not only a road of great expectation in that state, but was considered as the starting pole, or central piece, for several other roads that were to branch from it. It was to be continued from Maysville in Kentucky, to Florence in Alabama, a distance of between two and three hundred miles. From Lexington in Kentucky, it was to be extended into the state of Indiana, a distance of another two or three hundred miles. And when once began, like its elder sister, the Cumberland road, nobody knew where it would go to, or where it would end. Therefore this negative was not so small a business as it is represented to be. This augmentation had transpired before the veto. And thus it was that such a cry was raised. Therefore president Jackson by that veto, not only checked the system, but saved to your government at least 20,000,000 dolls. which was to be raised by your tariff, but has saved from corruption, some 10,000 or 20,000, of your citizens, who were to make a prey of that money. For all the roads made by the United States are good for nothing, and only form a constant drain upon the treasury for what they call repairs.

But gentlemen who have limited the negative to the *Maysville or Lexington turnpike* only, have neither done justice to the subject, nor to president Jackson. There was a bill passed both houses of congress for constructing a road, through a part of the state of Indiana, (I believe it was), and into the Michigan territory. He negatived that part which passed thro' the *state* and approved that part which lay within the *territory*: Upon the principle that the general government has the power to construct roads within its own territories. By negativing that portion which was to pass through a *state*, he preserved entire the principles upon which he negatived the *Maysville and Lexington turnpike*.

He also negatived the *Washington and Frederick turnpike* road. This bill was gotten up and fostered by the most powerful and commanding influence in the state of Maryland; and had more patronage than any other road bill that came before congress during the last session, or perhaps any other session.

The bill making appropriation of an 100,000 dolls. for the completion of the Portland and Louisville canal, to which the general government had previously contributed largely, two or three times, without knowing a syllable about the progress of the work, or disposition of the money; and the bill called the light house bill, providing for the building of *twenty-five* new light houses, placing *twenty-five* new beacons and buoys, and for surveying and clearing out *thirty-eight* rivers and creeks, nobody knew where, being a medley of a greater number of items than were ever found in one bill since civilization shed its beams upon the human race, was sent, which he returned to the senate this laconic answer,

* General Hayne, in his speech at the states rights celebration in Charleston calls it "a gleam of light."

Major W. R. Davis, in his address to his constituents, calls it, "a mere glance of light."

"That he had retained those bills for further consideration." And the senate considered this answer equivalent to his negative.

In negativing these several bills, he incurred great responsibility, and much displeasure from his friends and fellow citizens, who were the advocates of internal improvement. He was alternately threatened and entreated to save the bills, as they saw in his negative, the destruction of the system. But he saw the constitution prostrate, under such a system; and relying upon the resources of his own mind, which had never betrayed him, with Roman virtue, and with more than Roman firmness, he determined to do his duty, and leave the consequences to God and his country.

Look at the consequences of the prompt and decisive action of president Jackson upon those bills. By cutting off all other hope of drawing on the United States' treasury for funds, those interested in the construction of roads, are employing their own means and their roads are progressing. The Charleston rail road company, which I am proud to say never were importunate to obtain the public treasure to pay the expenses of constructing their road, is an instance of this immediate effect. The next moment after those negatives, they filled the subscriptions themselves and closed their books. And it is hoped they will complete a work, upon their own resources, that may be as beneficial to their interests, as their course has been honorable to their patriotism.

Also the *Maysville and Lexington turnpike road* company, if we may believe what has often appeared in the public prints, after immolating judge Bibb, one of their United States senators, upon the smoking embers of that fallen system, for exercising an independent opinion which ought to immortalize him, have gone to work upon their own means, and no doubt will construct a road upon a better plan, and at less expense, than they would have done with the aid of the United States' treasure, and its train of scientific engineers. The public prints mention many instances of internal improvements that are progressing in the state of Massachusetts, and in various other places, upon private or company resources, forgetful, no doubt, that any other aid ought to be looked for.

Gen. Jackson was elected to restore the constitution to its original purity. This was declared to be the object by all his supporters. And could any man have done more towards that desirable object in the same space of time, than he has? He has had but a moment to operate in. Would it not be better to allow him a fair opportunity to exercise his official control over the acts of congress, before we proceed to ulterior measures? The whole union are constantly looking to, and under the influence of presidential action. And it has a prodigious controlling influence over public opinion, and justly so. If the strong and decisive course he has assumed be followed up, and we know of no instance when he has once decided, upon full deliberation, wherein he has retraced his steps, is there not much to hope for in future, if we are to draw any conclusion from the past? Can he be responsible for the safety or reformation of the government, if the reins are snatched from his hands the moment he has commenced the restoration of the constitution for which he was elected? The stream, instead of a gleam or glance of light, which flows from his prompt and firm control over the various bills for internal improvement, with such an assemblage of other facts, and such a rational chain of deductions, as necessarily follow from them, satisfy me as a citizen of South Carolina, deeply interested in her prosperity, both as a state and as a component part of the union, that I ought not to despair of the republic, if we can only exercise a due temperance in controlling its energies.

But there are many of our highly respectable and distinguished politicians, among them not a few of my intimate private and political friends, who think it would be dangerous to delay. They say, we hold the power of controlling the general government and of restoring the constitution in our own hands, and why should we bear this oppression any longer? And they point to the "doctrine of nullification," which they say, is not the Carolina doctrine originally, but adopted here from the resolutions of Mr. Madison and Mr. Jefferson, of 1798; upon which was based the opposition of the Virginia and Kentucky legislatures to the alien and sedition laws. Others recommend the call of a convention by the legislature of the state, to deliberate on, and decide what course it is best to pursue to arrest these systems of the tariff and internal improvement.

My attention was drawn to the resolutions of both Mr. Madison and Mr. Jefferson at an early period after their promulgation, and previous to seeing Mr. Madison's late letter to the editor of the North American Review, I had never entertained any belief that the object of the Virginia resolutions contemplated interposing, the power of the state to control the operations of those laws, but were only intended as a basis upon which the constitutional number of the state legislatures might be induced to recommend a convention to amend the constitution of the United States, so as to restrain the operations of congress, in future, under the constructive powers. Had they been merely to manifest to the world that Virginia had the power whenever in the opinion of her citizens congress had enacted an unconstitutional law, to call into exercise her reserved sovereignty, and declare those laws null and void, she would certainly have brought that power to act upon them at once, else why declare the laws unconstitutional, and her power to annul them, unless to gasconade? And gasconading was not a trait in the character of the Virginia politicians of that day, all will acknowledge who knew those that acted in her councils. But Mr. Madison has put an end to this question, by his exposition in that letter, wherein he says explicitly, that no such power was intended to be assumed, that a state could nullify a law of congress. Mr. Madison not only asserts this, but refers to the debates in the Virginia legislature upon those resolutions. It was also manifest from the fact, that Virginia transmitted the resolutions to the other states of the union, all, or most of which, (I speak from recollection only as I have not the resolution before me) returned their answers in the negative; which are recorded with the resolutions. Upon the return of these negative answers, Virginia, finding herself unsupported, ceased to act. It would seem therefore that the doctrine of nullification is not derived from that source. Nor have we the example of Virginia in support of it.

The Kentucky resolutions were drawn by Mr. Jefferson, and he developes the object in a letter to Mr. Nicholas of the 11th December, 1821. He says it was to engage the co-operation of Kentucky *in an energetic protestation* against the constitutionality of those laws. If Mr. Jefferson had believed Virginia had the constitutional power to nullify those laws, why engage the co-operation of Kentucky in an energetic protestation? This would seem to settle the object not to have been nullification, in the sense now given to that term. What are the expressions of Mr. Jefferson, now relied on for this strong construction, as expressed in the Kentucky resolutions themselves? They say, speaking of the constitution:

"The several states that framed that instrument, federal constitution, being sovereign and independent, have the unquestionable right to judge of its infractions, and a nullification by those sovereignties, of all unauthorized acts, done under color of that instrument, is the rightful remedy."

Now the palpable and obvious sense of this sentence is, that the several states have not this power. Indeed it is so expressed. Not that any of the states, or any state has this power. It cannot be made to mean any other than the whole of the states, or such a constitutional majority as are authorized by the constitutional provision to recommend a convention:—That majority being two-thirds. And this postulate all will assent to. He begins the sentence with "*The several states.*" Both the adjective and substantive are in the plural. Not any one of the states.—He employs the plural again in pointing the nullifying power. "*By those sovereignties.*" Not, by any, or either of those sovereignties. At a time when Mr. Jefferson's apprehensions for the safety of the union were more excited than at any other period of his life; in a letter of the 26th December, 1825, to the hon. Wm. B. Giles, wherein he expresses all the solicitude with which his devotion to the constitution and the liberties of his country could inspire him, in that letter he is totally silent on the subject of nullification; but speaks distinctly of another mode of redress, separation, when every thing else fails. If there be any other declarations of Mr. Jefferson more direct, in favor of nullification, I have neither seen or heard them mentioned: I take it, however, that nothing bearing upon that subject has been kept out of view. From these evidences, it is clear, that Mr. Jefferson never intended to support the doctrine, that a single state of this confederacy had the power, under any circumstances, to nullify a law of the United States. If therefore, these views of the Virginia and Kentucky resolutions be correct, the nullification doctrine is not the doctrine of Mr. Madison or of Mr. Jefferson, as has been supposed.

Be its origin from whence it may, from Mr. Madison, Mr. Jefferson, or elsewhere, it must be maintained upon some sound political principle or it ought not to be maintained at all. Too much importance has often been given to new theories, with no other sanction than the name of some famed personage who first gave it to the world, or who became its early patron. And when we are about to introduce a new theory, upon which a single state of this union, can control the whole confederacy, even should that theory be sanctioned by the halo of the illustrious Jefferson himself, it ought not to be implicitly adopted, without first examining what will be its practical operation. The expediency of exercising this process of nullification over the tariff, by the state of South Carolina, has been a theme of warm discussion during the past summer, but no argument that I have read, in favor of that expedient, has satisfied me of the practicability of introducing into our confederacy such a principle as an efficient check upon the acts of the general government.

Two modes of operation have been suggested, by those in favor of the nullifying principle. One of which is, that the state shall by its reserved sovereignty declare, in some formal manner, the tariff law unconstitutional, and test the constitutionality by the merchants refusing to pay their revenue bonds to the collectors; and when suits are instituted thereon, submit the questions to the juries of the country. I have always been an admirer of that great palladium of civil liberty, the trial by jury, and have ever had the utmost confidence in the integrity of the juries in the American courts. But think this mode will be attended with too much contingencies to settle a great and leading constitutional principle. I would not deny the right of juries to determine on both the legal principle and constitutional question, in any case submitted to them.—I would not narrow down their powers to the Mansfield principle, of only deciding on facts. But there are about sixty different courts of the United States, in the several states. And even should a Carolina jury determine by their verdict that the law was unconstitutional, and therefore the revenue bond, given under it void, yet there would be but one jury out of sixty which will have decided. Besides, juries of the same court are changed with almost every trial. So that you may have a jury to-day to decide for you, and a jury to-morrow to decide against you. This is what occurs in every day's practice in all courts. It is, moreover, in the power of the marshal to pack the juries; if therefore you have a marshal who is with you, you may have a jury with you, if the marshal be against you, you may have a jury against you.—There must be a considerable circuity of pleading, before a case of this character can be brought under the control of a jury. If the jury decides against the bond,

the case is always under the control of court, to grant new trials as often as they please.—With my very high regard for the trial by jury, and my great deference for the opinion of gentlemen who think differently, I cannot conceive the sacred principles of the constitution ought to rest upon such a floating basis, as the verdict of a jury, a tribunal of a moment only. Another mode by a nullification is proposed of more energy. It is the following:

"That if all other efforts fail, the sovereign power of the state ought to interfere for the purpose of altering the operation of the unconstitutional laws of which we complain, thus compelling the general government to abandon its oppressive policy, that this course is constitutional, and that the state may adopt it without relinquishing her character as a member of the union."*

To the unconstitutionality of such a principle, I do most unequivocally dissent. I can trace no vestige in any article, section or paragraph, of the constitution, or in any treaties upon that instrument, from which I can possibly deduce any such a construction, either expressed or implied. But that a state can arrest the operation of a law of the United States, and compel the general government to abandon it, without relinquishing her character as a member of the union, is to me inexplicable. It is opposed to every principle of the confederated government. It is calculated to defeat the very ends it intends to promote, and to clog every operation of the general government, and to arrest the operation of every law, however salutary, whether constitutional or unconstitutional. For if a state has this power, it necessarily possesses the power of determining what laws she will arrest.—Then suppose South Carolina by virtue of her reserved sovereignty, should say to the general government, to arrest the operation of the tariff laws, because they are unjust and oppressive; and Ohio should say, we arrest the land laws, the lands lying within our chartered limits, claimed by the United States, is under our sovereignty and belongs to us, you are depriving us of our rights, and we will permit you to sell no more of it. Tennessee should say, we arrest the law establishing the United States' bank, we deem it unconstitutional, and we have a sound bank currency of our own: it takes from us the profits of the banking system. Thus it might go on, until you would not have a single law of the general government, which was not in a state of arrest. It would be just as rational to suppose that the planetary system could continue to perform all its revolutions, with the same beauty, order and harmony, which have been assigned to them by nature, were the laws of projection, attraction and gravitation, to be totally suspended, as it would be to suppose, that twenty-four confederated states could exist in harmony, and perform their federative functions, were each state to have the power of arresting or suspending the operation of the laws of the confederacy, whenever in the opinion of the functionaries of any single state, it should be thought expedient for the interests of that state to do so.

Another mode of operation is proposed: which is the call of a convention. I can conceive of a convention which might have been useful, and of which I would have been proud to have been a member. In constituting that convention, I would have consulted the people at large; and would have obtained from them, distinctly, by ballot, as the state of Virginia lately did, who was for, or who was opposed to a convention. Then the question of convention or no convention would have been settled by the sovereign power, and no further controversy could have arisen. A convention elected under these circumstances, limited in its action to remonstrance only, and limited in its duration to a single session, could have been objected to by none. In a convention thus organized, great unanimity of sentiment, and great unity of action might have been looked for. And a solemn address from such a source, must have commanded attention abroad, and might have preserved the peace and harmony of the community at home. It was a convention of this pacific character to which I alluded in my speech on Foot's resolution; not that I thought one, even then, to be necessary, as I then expressed it. And much less do I think a convention necessary now, when there is every hope that the systems of the tariff and internal improvement are going down by other means, that can endanger nothing. But a convention gotten up under the present excessive excitement of party feeling, that has thrown the state into the most violent ferment, broken up all former political associations, severed the most intimate friendships, and called down the most bitter reproaches upon the rights of self-opinion, that party excitement has ever produced, where there exists no difference of opinion as regards the nature and extent of the injury complained of, but only a difference of opinion as regards the mode of redress; and this too, at a time when mutual forbearance was never more imperiously demanded, at any other period of our history, would leave but little hope, that such a convention could effect any salutary purpose. If, however, we are to understand, as one distinguished gentleman has avowed, that "convention for any other purpose but nullification is an unmeaning fallacy," or as other gentlemen, no less distinguished, tell us, "for resistance;" and if such a convention should really be ordered, I can see nothing but revolution before us. We could not retreat, that is certain.—Then revolution is the only alternative. For there appears to be no ground upon which to presume, that the other twenty-three states, with general Jackson at their head, would be coerced into conciliatory measures, in consequence of such an hostile attitude by South Carolina. Nor can it be supposed North Carolina, Virginia, and Tennessee, Alabama or Georgia, states equally concerned in this great question with South Carolina, are prepared to adopt implicitly what would appear to lead directly to a state of revolution. Would they not choose to be consulted in the first instance, and prefer to have some share in arranging and directing the *modus operandi*, if they are to share in the burthens of conflict with the general government to impose any separate unconstitutional measure upon South Carolina alone, and she should resist it even to revolution, there can be no doubt but those neighboring states would not stand by and see a single state selected for political sacrifice. But when it is a common cause, they might not be so ready to take part in a war, which one state has waged without consulting the rest of her fellow sufferers.

It has been affirmed if South Carolina would commence an opposition, those states would fall in with, and follow up that opposition. That this was the course pursued at the commencement of the revolutionary war, which separated us from Great Britain. That some one state began, and the other states followed; some one state had to strike the first blow it is true, and then the other states took an immediate part in the war; but there is no parallel in the two cases. The then colonies, now United States, began to feel the oppression of the mother country more than twenty-five years before the fatal blow was struck. And during the whole of that interval, they had friendly communications on the subject of revolution, and for several years previous to the declaration of independence, they had their different grades of assemblies, rising in numbers and importance from the committees of two, chosen by neighborhoods, up to a congress of the whole provinces; all carried on with perfect harmony, and the utmost concert; all tending to the same point, revolution. Furthermore, the object was revolution, and a separation forever. Here the object is avowed to be different; yet the steps to be taken are the same, and must produce the same effect, if followed up with additional and aggravated horrors. Unless, if the operations of the laws of the United States are opposed by South Carolina, the rest of the states should say to South Carolina, if you choose, secede from the union and set up for yourselves. In the event they should do so, which would seem to be the most probable course as it is difficult to imagine that any portion of the American people are prepared to shed their neighbor's blood to compel them to remain in the union, is there any high-minded South Carolinian prepared to say he is ready for a separation, even if it could be effected by universal consent? Are there any aspirants to the imperial purple, on so small a scale? She could profit nothing by her free port, further than the supply of her own citizens. No exportations could be carried on to the other states, without paying the same duties that other foreigners pay. She would be a foreign nation to all the other states. And how would she rank among the family of nations? Although rich in all that could adorn a nation, with a high minded, magnanimous, chivalric people, yet her physical strength could not command respect; and South Carolina, like all other small principalities, would be remembered only to be insulted. What South Carolinian is willing to submit to this degraded condition, in preference to remaining a citizen of what is destined, if we only hang together, one of the most magnificent republics the world ever saw? And should she once separate, she can never expect to return to the union, but with degraded rank and humble fortunes. These are not visionary views; they are all within the scope of the most probable events. The reproachful epithets of, friends to the tariff, deserters from the cause of civil liberty, cowards, under Yankee influence, tories, fighting against their country, have been gratuitously lavished upon those who are opposed to, by a portion of those who are most in favor of nullification and convention. And they ask, if you will adopt neither of these measures, what will you do? Will you give up all opposition, and tamely submit to the degrading distinction of having the profits of your labor taxed, by the majority of congress, to enrich the northern manufacturers?

I take none of these epithets to myself; therefore, I leave them where I found them. To the interrogatories I answered distinctly, that I will not give up my opposition to the tariff, nor will I give up my opposition to its twin sister, internal improvement, although the latter seems to have been almost lost sight of in the chase, by some of the most zealous in the pursuit; yet, I am not prepared to adopt any measures, that will put the union of the states in peril, until there shall be no hope of any other alternative. In the meantime, I would adopt the course which Mr. Jefferson prescribes, in his letter of the 25th of December, 1825, to the hon. Wm. B. Giles; but a few months after, both those systems had received fresh vigor, and a considerable acquisition of strength in congress as well as from the cabinet, and were then supposed to be settled as the legitimate and constitutional systems of the U. States; in which letter he speaks with much force and great feeling on both systems, their advocates, their evils, and their remedy. That I may not impair what he has there said, I will give his letter literally. He says:

"I see, as you do, and with the deepest affliction, the rapid strides with which the federal branch of our government is advancing towards the usurpations of all the rights reserved to the states; and the consolidation, in itself, of all powers, foreign and domestic; and that too, by constructions, which, if legitimate, leave no limits to their power. Take together the decisions of the federal courts, the doctrines of the president, and the misconstructions of the constitutional compact, acted on by the legislature of the federal branch, and it is but too evident, that the three ruling branches of that department are in combination to strip their colleagues, the state authorities, of the powers reserved by them, and to exercise to themselves all functions, foreign and domestic. Under the power to regulate commerce, they assume indefinitely that also over agriculture and manufactures, and call it regulation to take the earnings of one of those branches of industry, and that too the most depressed, and put them into the pockets of the other, the most flourishing of all. Under the authority to establish post roads, they claim that of cutting down mountains for the construction of roads, of digging canals, and aided by a little sophistry on the words "general welfare," a right to do, not only the acts to effect

*Chancellor Harper's speech at the late state rights' meeting in Columbia, South Carolina, 29th of September, 1830.

that which are specifically enumerated and permitted, but whatsoever they shall think will be for the general welfare. And what is our resource for the preservation of the constitution? reason and argument? You might as well reason and argue with the marble columns encircling them. The representatives, chosen by ourselves? They are joined in the combination, some from incorrect views of government; some from corrupt ones, sufficient to out-number the sound parts, and with majorities, only of one, two or three, bold enough to go forward in defiance. Are we then to stand to our arms, with the hot-headed Georgian? No. That must be the last resource, not to be thought of, until much longer and greater sufferings. If every infraction of a compact of so many parties is to be resisted, at once, as a dissolution of it, none can ever be found which would last one year. We must have patience and longer endurance, then, with our brethren, while under delusion; give them time for reflection and experience of consequences; keep ourselves in a situation to profit by the chapter of accidents, and separate from our companions only, when the sole alternatives left are the dissolution of the union with them, or submission to a government without limitation of powers. Between these two evils, when we must make a choice, there can be no hesitation."

I adopt the sentiments expressed in this letter not implicitly, because they are from Mr. Jefferson, but because I conceive them consistent with the sound policy which we ought to pursue. The union of these states is the fairest political fabric that has ever been reared by the human mind. Its foundation was laid upon "the lives, the fortunes and the sacred honor," of a constellation of as illustrious patriots as ever graced a political assembly of this or any other age. It was cemented with the blood of our fathers and brothers. It has made our government the admiration of the world. It has been "a pillar of fire" to lead the benighted nations, of other regions, to the altars of rational liberty. It had led the world to believe that man was capable of self government, and they were practising upon its principles. It has given us a proud eminence abroad, as a member of the family of nations. And it has shed a lustre upon the character of republics, to which the republics of antiquity never attained. But this lustre must fade, and our national importance with it, if less than half a century should prove to the world, that a confederacy, founded on pure republican principles, had turned out an entire delusion. If however, the flattering hopes of an early change in the policy of the general government should still prove illusory and the tariff and internal improvement policy be obstinately persevered in, and we should be determined on effectual resistance, why not first hold free communications with those neighboring states which feel the same burthens of which we complain, and have with us a common interest in removing those burthens, and learn how far they are prepared to go with us, before we dictate the councils they are to follow? We have no reason to expect from any expression from those states, that they will consent to take side with South Carolina if she should choose to wage a controversy with the general government that might lead to disastrous consequences. And there appears to be no middle ground. Determined resistance will leave no alternative to the general government, but to acknowledge the union under the control of an individual state, or meet our resistance with energy. And South Carolina will have no alternative, but to retreat, or go on with energy on her part. That revolution or disunion, in some form will be the result no one can doubt. All those states are strong in councils and firm in purpose and ought to be consulted before any steps are taken that may sever the union forever, and leave us broken into fragments, and at war with one another at home, and the objects of contempt and ridicule abroad. If we are determined to cut the Gordion knot, let us carry with us the strong councils, the physical power, the energy and the identity of ruling interest which those states will bring into the new confederacy.

My re-election to the senate of the United States at the ensuing legislature, has been so intimately identified with the question of convention and resistance to the tariff and internal improvement, as to justify me in connecting it with a few concluding remarks. Robert B. Smith, esq. a member of the legislature, and a gentleman of talents and distinction, since these mighty subjects have agitated the public mind to a considerable degree, wrote a letter to a political friend of mine, of which the following is an extract:

"I take the liberty of writing to you as one of the political friends of judge Smith to ascertain what will be his political course in the state at the present crisis. Is he against or is he for the call of a convention of the people at the next sitting of the legislature? Does he think that the period has arrived when we should right ourselves? I understand he is a candidate for the senate of the United States, or I should not of course make these enquiries. I am and shall be against all who are against the state."

This letter appears to have been written for my use, but I would not use it until I first obtained leave from my friend. Who knew no objection to my doing so.

To that gentleman for whose talents and reputation I have the highest respect, and whom I address upon this occasion without an unkind feeling, I beg leave to say, that I am opposed to the call of a convention for the reasons which I have assigned in this address. That I have been an unceasing advocate for abolishing all protecting duties, on whatsoever laid, and in whatsoever state they may operate. That I have been unceasingly opposed to the internal improvement system in all its forms. I have been so opposed, because I most conscientiously believed them, both to be unconstitutional, and in their operation unequal, therefore unjust, and peculiarly oppressive to the southern states, without affording those states any of the benefits intended to flow from that system of policy. And, furthermore, because I saw in that policy the degradation of my country. I commenced my opposition to internal improvement with my first political breath. I opposed the famous "bonus bill," in my maiden speech, within three weeks after I entered the senate. I commenced my oppositon to the tariff the next session thereafter, on a proposition to lay an additional duty on iron. I have persevered with ardor in that opposition up to the present moment, and intend to continue my opposition with the same unabated ardour, until both those systems are abolished, so long as I shall remain in a situation to exercise any control over public measures. If I have ever shifted my policy, or shrunk from responsibility upon this or any other public question, even in the worst of times, and whilst in small minorities, I should like to see such a defection pointed out and exposed. I will ask if Mr. Smith himself could have done more? that he might have done better I will not controvert. Then Mr. Smith and myself perfectly agree upon all the great principles to be opposed. That we have equal patriotism and equal ardour in our opposition to those principles, we will both admit. I say equal, because in ardour and patriotism on those questions, I will yield to no man. But Mr. Smith and myself differ as to the means to be employed to defeat those systems. And in consequence of that difference of opinion, Mr. Smith sees in me an unfitness to represent the state of South Carolina any longer in the senate of the United States. His right to do so I shall not question.

I will not suppose for a moment that Mr. Smith intended to coerce me into his opinion. He is a gentleman of too much character for that. But he will allow me to say, that, although he may, I cannot perceive the bearing of such a rule of action. If I do my duty in the senate in opposition to those unjust and oppressive systems, that is all the duty I have to perform. But as regards my re-election, it can be of little importance to the state, and I can assure Mr. Smith it will be of but little importance to myself. I have as high a sense of laudable ambition as any gentleman, and as much pride in serving my country, but have no ambition to purchase its honors at the expense of private opinion. And more especially, when that opinion relates to a subject of more vital importance to the future destinies of this republic, than any subject that ever agitated this community. I trust no man would appreciate the honor of a re-election to the senate of the United States, more than myself; or feel more grateful for such a distinction. But as highly as I should appreciate this distinction, I can make no compromise of my private opinions to attain it. And if Mr. Smith thinks I deserve to fall a victim to diversity of private opinion only, when public principles are not involved, I am ready for the sacrifice. And perhaps I may approach the altar with as few murmurings, and as little reluctance as that gentleman could wish.

WM. SMITH.

York C. H., S. C. Nov. 4th, 1830.

NILES' WEEKLY REGISTER.

FOURTH SERIES. No. 16—VOL. III.] BALTIMORE, DEC. 11, 1830. [VOL. XXXIX. WHOLE No. 1004.

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT $5 PER ANNUM, PAYABLE IN ADVANCE.

☞The reader will please to observe that this number consists of a sheet and an half—yet a large quantity of *current matter* has been excluded. We shall give another supplement next week.

☞In the REGISTER of the 27th ult. and immediately after a proposition to call a "southern convention," we inserted a letter as if from a member of the Hartford Convention, written in October, 1814. We found the letter in the "National Intelligencer," but, as it was not distinctly marked as being first published in that paper, we gave it as anonymous.

It seems that some *profoundly thinking partizans* affect to doubt the genuineness of that letter!—though every line of it shews it to be a satire on nullification! We admire their discernment! This letter, as it appears (by a communication in the National Intelligencer of a later date), is made up "substantially and almost literally, from Mr. Cheves' late letter"—about state rights and other newly-invented things. The "Yankees," for "notions," are "not fit to hold a candle" before the *new lights* of South Carolina!

☞We intended to have made out a brief summary of the contents of the president's message—with a few remarks; but the portion of our time allotted for it, was unexpectedly diverted to other matters that could not be dispensed with—and the intention must, at least, be deferred.

It appears that the question as to internal improvements is *settled*—so far as it depends on president Jackson.

We regard the recommendation as to the constitutional period of service of the chief magistrate, as a decided intimation that president Jackson will *not* be a candidate for re-election.

In respect to the Indians, their removal is determined.

The *constitutionality* of the protecting system is fully acknowledged—but the *expediency* of continuing certain duties questioned. *Cavendo tutus!*

The public debt is in a state of rapid redemption.

A decided opposition to the bank of the United States is again manifested—and another plan suggested as a substitute for it.

But every body will, or ought to, read the whole message for himself.

☞The editor has noticed one instance, out of many, of the wholesale and coarse abuse to which he is subjected, because that he is too old and too stiff, to twist and bow down at the will of mushroon-partizans—who will hereafter feel as much ashamed of their proceedings, as *Arnold* was debased by his treason, if feelings they have beyond the weight of "thirty pieces of silver;"—because of the violence with which they urge the preposterous claims of a brief *minority of the people*, and yet call themselves "republicans!"

In no other respect than in an earnest support of the constitution—or the zealous and resolute, but mild and argumentative, adherence to the principles of my early life, in regard to the protection of domestic industry, have I offended any candid or honorable man*—at least, I am certain that I never intended it, and shall feel real regret if ever it happened, even in an apparently rightful defence of myself; for a right thing may be done in a wrong way. In our own case, however, we are liable to judge less correctly than on other occasions, and sometimes the *reason* of one's proceeding is not, nor cannot be, fully appreciated by persons not having a "view of the whole ground." And, in "this land of liberty," if I am sometimes over-anxious in the support of honest labor, or too indignant at that meanness which would give *rank* to a successful robber on the high-way, (if amassing the necessary quantity of money), and refuse it to the industrious, or working classes, if not rich—I can only say, that it is *natural* in me to despise the spoiler and respect the producer.

The continued and faithful support of honorable men, for a long series of years, encourages to perseverance in the course that I have adopted—though there are many, and weighty, reasons why I should retire to a less prominent station, and seek quiet, with some relief from the severe labors of my profession—if attainable: but, blessed with health, and hating idleness, some degree of pride, supported by *necessity*, urges me onward, and my desire oftentimes is, to leave this world as editor of the work which I have built up and sustained—though sometimes under adverse, if not distressing, circumstances, through the conflicting interests of parties; for what was orthodox in one year, may be heterodox in a future one; and those who supported any certain set of opinions, are the most malignant of all persons against others who do not *follow* them in their own changes. "One renegado is worse than ten Turks."

During the last year, I oppressively felt the force of the matters suggested—in the present, I have regained more than I lost, and the prospect a-head is cheering, indeed.† A greater degree of *attention* on the part of old friends seems manifest—and a kind zeal is shewn to give a new and vigorous support to the REGISTER, in many parts of the United States. Its leading principles would appear to be better and better understood, as the reason of them is *felt;* and a firm hope is entertained, that it is not in the power of the enemy to *nullificate* the publication of this paper, though things have happened which many would be surprized to hear of. I *claim* no man's support, though grateful to all who support me. If any suppose that *value* is not received for *money* paid—let them fulfil their contract like honest men, and retire—I shall not condemn them. But the course of the other party is a plain one—and among its members are hundreds of whose good opinion I *am* proud, though I think that pride, in its ordinary meaning, has a small part in my composition. Let these earnestly sustain me, so long as they think that I deserve it—and *thereafter*, I wish to cease being what I am. Advice, instruction, or the reproof of a friend, will be always thankfully received, and attentively considered—but it is not within the power of any man, or set of men, to *dictate* a course for the REGISTER, separated from the individual judgment or its editor and proprietor. It *shall* "sink or swim" with the principles that it has espoused—as settled in my own mind by serious reflection, from the days of my childhood to the present time. The sun will rise and set, and the moon assume all her phases, whether it "sinks or swims"—but, while I would emulate the steadiness of the former, it must not be expected of me to "change" like the latter, in her *appearances*. I wish all men to know where to look for me, and find me there.

☞The present number contains 24 pages, a supplement of eight being given extra—together, about as much reading matter as is contained in 80 or 90 pages of

*I do not account as "candid or honorable men," those whom I never personally assaulted, but notwithstanding have rudely assailed me, even on the floor of congress—and especially such as those who, made sensible that they had spoken falsely, or mistakenly, of me, have refused to render common justice in confessing it. If it were possible that I could wrong "Belzebub, the prince of devils," I would acknowledge the wrong, unless "on compulsion," being made sensible of it.

†The "Southern Review" has been discontinued for want of support. We see a serious proposition to raise *one hundred thousand dollars* to keep it a-going.

a common octavo volume; and yet, because of the great length of the president's message, the arrangements for the week have been materially interfered with. We shall be compelled to publish another supplement, to regain the ground we have lost, and keep pace with the documents about to be received. We wish that we had the *means* of presenting to our readers many extra sheets, at this season of the year; but they are absent, though an earnest *wish* to give them is present.

Mr. Rush's strong and eloquent letter, with the report concerning the cultivation of sugar, might, and would have been, postponed,* had we anticipated what has happened—yet we are glad that they are published. The former cannot fail of having effect with all who think and reason—and the latter, we hope, may be useful, because of a prevailing disposition in some to interfere with a pursuit of high importance to the business of the people of the *western* states; and in which the *southern* are yet far more deeply interested. Let the latter beware! The tariff, on *sugar*, is the *salvation* of thousands of planters of *cotton* in South Carolina, Georgia, &c. The culture of this plant is more profitable in Louisiana than in S. Carolina, and how greatly must it be extended, the cultivation of the cane being destroyed? One would think that the south might have learnt some wisdom, from having forced a high duty on coarse wool.

We see it stated, from New Orleans, that the crop of cotton in Louisiana and Mississippi will exceed that of last year in not less than fifty thousand bales! We hope that any diminution in price, because of such excess, will not be attributed to the tariff!

The same letter says that the crop of sugar will be from 80 to 100,000 hhds. and that the price will probably recede to 5½ cents per lb.

Mr. Speaker Stevenson. This distinguished gentleman has been much afflicted with a disease of the lungs,—and the representatives assembled, in proper respect for him, adjourned on Monday, because that he was expected to be in his place next day—when he appeared, though evidently laboring under a severe indisposition. The house being thus organized, the business may proceed, though the speaker shall not give that constant attendance to which he has been accustomed. We earnestly wish a speedy restoration of his health.

Virginia. The legislature of this state commenced its annual session on Monday last. Mr. Linn Banks, was re-elected by a majority of 4 votes only, (over Mr. James M. Mason, of Winchester), speaker of the house of delegates.

South Carolina. The proceedings in the legislature of this state has been marked with a great deal of warmth. "The dog-star rages"—and many members seem up to "*blood*-heat." We think, however, that a sufficiency are resolved to "*keep cool*." Their tempers will be severely tried—still, let them "keep cool." *The argument of the bullet*, will prove a very sorry one,—— and

> "While Ralph to Cynthia howls
> "And makes night hideous"——

let the anti-*Hartford* conventionists remain quiet. The *nullificators* will *not* hoist their flag on the top of the WASHINGTON monument, at Baltimore!

Mr. *Miller*, at present governor of the state, and a *nullificator*, has been elected a senator in congress from the 4th March next, in place of judge *Smith*, who is *anti-nullification*. For Mr. Miller 81, Mr. Smith 77 and 1 blank. This does not, however, shew the real force of parties. A much larger majority is in favor of a "convention," though, perhaps, not sufficiently strong to call one, according to the constitution; and, while judge Smith, on the other hand, had great personal influence, such influence in favor of another gentleman, (*not* gov. Miller), may have had some weight. And judge Smith has the merit of consistency—no small one, in "these our days."

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*Together with what may be rather regarded as my own personal affairs.

"Hez Niles." A South Carolina paper, the name of which I shall not honor with a record, and it will be forgotten by me one day hence, has said something about—

> "*Hez Niles, the Judas of the east.*"

This is the essence of a "whole hog" press—and too many *hoggish* persons are invested with power to throw *dirt* at their neighbors, under patronage of some ambitious upstarts, who think "all fair in politics," justify any change of opinion, feloniously break open letters not addressed to themselves, or think a lie better than a truth, if it better answers their purpose. The press was never before at so low an ebb of *filthy* degradation as at the present, and I might give many prevailing causes for it—if it so pleased me; and especially as to certain leading publications.

These "whole hog" papers would lose half the spice of their articles against me, (though I have not personally attacked any of them), were it not that my name is *Hezekiah*. I sometimes see it mentioned in every other line—almost as often as that of "*the honorable*" ———, was written and published by *himself*, a little while ago! But, because of this, I am getting much pride in it, (though I had no agency in conferring it on myself, and have always objected to it when about to be conferred on others of my family, because of its many syllables); and have some thoughts of always writing, as well as printing it, in full, for the future.

To enable these men the better to argue subjects of *political economy!* I shall give them a list of all the *Hezekiahs* in my family, that I have heard of—which may also put it into doubt what the *gentlemanly* editor of the S. Carolina paper means by the words "of the east." If I had a choice over the place of my birth, I should certainly not regret that it was in the neighborhood of *Franklin's*,—where *Hancock* and the *Adamses* breasted a "tyrant" and *Warren* died; but I believe that the first of my family, that ever was so far "east" as the Hudson, was myself, in 1824.*

Hezekiah Niles left England for the United States, and settled at Philadelphia, just then first building, or perhaps, while the seat of government was at "Upland." He had there an only son, I believe, who was called Tobias—Tobias had two sons, William and *Hezekiah*—the first died a few years since, nearly 100 years old, and *Hezekiah*, the father of the present "*Hez*," lost his life by an accident at Wilmington, Del. nearly 40 years ago, to which place he had removed many years before, in consequence of his intermarriage with Mary Way, a descendant of one of the companions of William Penn. I, *Hezekiah*, was born in Pennsylvania, near "Chadd's Ford," whither my mother had been removed for safety, because of the approach of the British, advancing to attack *Washington*, at Brandywine, by which, instead of avoiding danger, her life was perilled by the *bayonet* of a "bold grenadier" of the "defender of the faith." After which, and in due season, there was born to me a third son, at Wilmington, and named, by his mother *Hezekiah*, but who died when about two years old. In 1805 I removed to Baltimore, having been a partner in a pretty extensive concern in this city from 1798, and my oldest son, William, having married, called his first-born *Hezekiah*, who is now about 10 or 11 years old. And again, I myself have another son, called, by his mother, *Hezekiah*, who is less than one year old. And so it is, that the name of Niles, (so far as my family is concerned), is entirely in my own stock—my venerable uncle leaving no son likely to perpetuate it. But I have six sons and three daughters living—my oldest son has two sons and four daughters—and three of us are named *Heze-*

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*There is no difficulty in understanding the objects of the "whole hog" editor. Too many in the south, (like certain persons of old, and in respect to another location), are ready to say "can any good thing come out of" New England?—and the saying is justified by a base and corrupt jealousy, or hate, which wretched time-serving politicians have engendered, for basest *sectional* purposes—such as Washington condemned with the greatest indignation, and which are fatal in their tendency. And this is the most pleasing to those who look to *domestic nullification* and *foreign bayonets*, to obtain distinction!

kiah Niles. Now, if there is an *argument* in the name of *Hezekiah*, what abundant materials have I furnished for the use of a hostile press?* And, as I think that it may gratify a certain reputed son of a *Scotch-whip-the-cat-tailor*, because of his own ideas of *rank*, it may be added, —the first *Hezekiah* was a carpenter, his son Tobias a boat-builder, his son *Hezekiah* a carpenter and afterwards plane-maker, his son *Hezekiah* a "regular-bred" printer, his son William ditto, who intends that his son *Hezekiah* shall also be a printer. This will afford much pleasure to the *high-born* individual, who seems to think it impossible that a *working-man* should have eyes, and ears, and understanding, like the *consuming classes*—and it may help him out in some future speech in congress! But he should recollect, that the most patriotic and witty of our poets, (*Freneau*), has a pleasant tale about a contention that arose between two young ladies, at a ball in Virginia, for precedence in dancing—one of whom,

————"for cousins,
"Counted congressmen by dozens."

And the other proclaimed—

"That her pa had *negurs* to *toat* the children *any war*,"

Which contest being referred to a grave committee, they reported—

"While all the wondering misses cry'd out '*goodies*,'
"That Mimmy's grand father had been *transported* six weeks before Miss Judy's!"

But whether this *lofty* man's father left "his country for his country's good," or voluntarily, in the pursuit of liberty and peace for himself, is no matter, and would never have been referred to by me, except because of his immodest assumptions and gross rudeness—and the excessive contempt in which he holds free men who labor with their own hands—forgetting from whence he himself came, to make white black and black white, according to the course of partizan politics, in the present turning and twisting season.†

So much for *Hezekiah*—a plainly bred mechanic, who never spent one day at college in his life, and was early apprenticed to learn his trade, by which to obtain an honest living. Cannot the "philosophers"—the learned and the wise, the *well-born* and the heads of the schools —giants in debate, and Telamonian Ajaxes in any "war of words," written or spoken, put down this poor *mechanic*, by the profundity of contempt, or power of reason? Shall they rudely assault him, where the privilege of reply is not allowed—or set on their creatures to throw *their own* incubated eggs at him, over which they have *meanly* nestled until the whole is one mass of stinking matter, in the vain hope that such stuff will ever reach him? Why not meet the *practical* results that he has urged upon them—why close their eyes against the light and knowledge that honest *experience* affords—why refer to Adam Smith and other makers of books, instead of enquiring of the makers of *potatoes*, or of *gimblets*, who can teach them truth? When these men are challenged to meet us with figures that "will not lie"—if condescending to notice us at all, they run into discussions as useless and ridiculous, as the definitions of a salt-box, by the inimitable *Hopkinson;* and the pursuit of their points is something like "hunting for a needle in a hay-stack," and of less worth than a needle, if found among the vast heap of straw————or, they play the part of *Thersites*, and, by round and bold assertions, strive to cheat the populace; or, in the abuse of others, attempt to conceal their own ignorance of the things which they speak of. And what has become of the *books* of the "philosophers," the learned and wise, which, by tens of thousands at a time, though *unread*, have been wonderfully published, at the public cost, by votes of congress!!!—that have been printed, or reprinted, mainly at the expense of *British* agents, or importers, in the U. States? An hundred thousand copies of a late essay of this uneducated mechanic, without any aid from the *purse of the nation*, without the help of an *English* six-pence, have been spontaneously spread before the people, having no other merit in it than of industry, applied to the collection of manifest facts, which every man can grapple in his hand and know the reality of, if he pleases. It is not affectation to say, (and those who *know* me will believe it), that, however, grateful such distinctions, on several occasions, have been to my feelings,—they are so much softened by a lively apprehension that these compliments are undeserved, as to make me rather wish that they had not been conferred; and yet, not to wish it, would be to offend the majesty of truth, as it appears to my understanding. For it is *not* the power of logic—the force of rhetorick, the eleganee of manner, or grammatical correctness in writing, and much less any personal popularity, or official influence, that causes such results—it is, simply, *the homeliness and holiness of truth.*

It is very seldom, indeed, that, even in the examination of measures, I attack any man, though in that soberness which a respect for the press requires; and, while I always feel a power to defend myself, and carry the war into the camp of an enemy—fearing no man, because if in error I will confess it, and if in truth maintain it—it is my desire even to *retaliate* in moderation; and, to hundreds of buzzing things I have severally said, "get thee gone, there is room enough in the world for thee and me."

To proceed.—

"*The Judas of the east.*" The latter part of this clause of the elegant sentenee is already settled, but I shall say a few words about "Judas."

The "Register" is now in its twentieth year, and, in despite of a bitter persecution because of the steadiness of its course, is, perhaps, more popular than ever it was, though opposing the *nullifiers* of the south exactly on the same ground that it opposed the much more excusable *Hartford conventionists*. It has never entered into *personal* politics—nor shall it. But the principles which now offend a certain set of persons, are those for which Mr. *Madison*‡ tells us *that the constitution was originally contemplated, and in* VIRGINIA—which were sanctioned by and contained in the preamble of the *second* act passed by the *first* congress held under that constitution,§ and by about an hundred acts passed since —which were never supposed by any to be *unconstitutional*, until *discovered* by Mr. *P. P. Barbour*, (I believe), about ten years ago, which discovery, however, has never yet been approved by a solitary vote in either house of congress, up to the present time—and I trust that it never will be! It would withdraw our squadrons from the Mediterranean, Pacific, South Atlantic and West India seas—for it is IMPOSSIBLE that the persons and pursuits and property of our citizens abroad, can be constitutionally protected even by *cannon-law*,—when power is wanting to protect persons and pursuits and property at home, by our own legislative enactments. We shall not discuss this matter now. These principles, in their fullest extent, have been acknowledged by *every* congress, and *every* president of the United States—and by no men more decidedly than by president *Jackson*, and vice-president *Calhoun*—not even by Mr. *Clay;* it was chiefly in the measure of protection that the latter took the lead. And notwithstanding all that has happened or is coming to pass, we have no reason to suppose that either of the high officers named will proclaim the *unconstitutionality* of the tariff laws, any

*I do not wish to be understood as objecting to a familar or friendly use of my "given-name"—but every thing is in the *manner*. I was recently introduced to a venerable citizen of the United States, as "Mr. Niles," who took my hand, as is customary;—but turning from me to speak to some other person, he recollected himself, and said—"not *Hezekiah* Niles?" "Yes sir"—and then he seized me with both hands, and gave me a hearty embrace, expressing much pleasure in meeting me; which was about as kind a compliment as I ever received.

†More than one person may feel an *application* of these remarks, if happening to see them. There is a large amount of contemptible aristocracy in the land.

‡ See the extract from Mr. Madison's pamphlet, written in 1795—page 262.

§ "Whereas it is necessary for the support of government, and for the discharge of the debts of the United States, AND FOR THE ENCOURAGEMENT AND PROTECTION OF MANUFACTURES, that duties be laid on goods, wares and merchandise imported," &c.

more than of those by which we expend two or three millions a year for the "protection of commerce." They are brave men, and may not *baulk* the question! And I held the principles which I now inculcate, before I ever heard of gen. Jackson, or Messrs. Calhoun or Clay.—They were impressed on my mind when yet a child of less than nine or ten years old, by my father, after I had seen a procession of gentlemen clothed entirely in home-productions, in about 1786, at Wilmington.* In answer to my enquiries, I was told that the object of these gentlemen was to render the country *independent*,—and here was the *starting place* of my present opinions. In 1794, while an apprentice, I wrote several small articles which were published, (if my memory serves correctly), in col. *Oswald's* paper, printed at Philadelphia, in support of domestic industry, and its essential connexion with the independence of the United States. About three years after this, having returned to Wilmington, though yet a minor, (because that my employer had declined business), I belonged to a debating society, among the members of which was an unlettered blacksmith, rather advanced in years, who possessed one of the strongest and most original minds, concerning the principles and properties of labor, that I had ever met with before, or have encountered since—and his lectures, so happily adapted to my own youthful notions on the subject, laid the *foundation* of all my since expressed opinions, though rejecting many of his theories. The name of that man was David Chandler, I believe long since deceased. And the results then more matured, and settled in my own mind, have never been held doubtful for one moment since, though taking a much wider range, and urged at some times more zealously than others, as opportunity, or the condition of thing, sseemed to require. On this subject then, I am *not* a "Judas," if Judas means a *traitor*. If I am in error—it is the error of my whole life; which has "grown with my growth, and strengthened with my strength."

And again. I regard it one of the most pleasant things in life, as men advance in years, to be found in close association with the friends of their youth. In this I am peculiarly happy. Soon after the election of president Adams, in 1797—the *first* regular democratic meeting, or "caucus," that I have heard of as being held in Delaware, was convened at Wilmington. It consisted of 50 or 60 persons, of whom I was the junior; and I do not think that one of these ever proved a "Judas." Through good report and evil report, they persevered in the political opinions which originally brought them together. Of these only *seven* remain—and *five* are among the nearest and most valued friends that I have. *I* entirely accord with them, and *they* with me, in *all* matters of policy or politics, whether regarding persons or things. This does not look as if I had played the part of a "Judas." *Six* out of the *seven*,† of this old stock of "democrats of '98," (as some take pride in calling themselves), are of the same mind, as to every leading matter of public concernment. THIS IS TRUE.

It was not for the purpose of *replying* to the miserable editor of the South Carolina paper, that I have made this exposition. I am so used to the *hoggishness* of the press, for years past, that such things affect me no more than water troubles a duck, though I seek them not, and rather carefully avoid all causes for them—for I attack no man; though, I sometimes retaliate a little, (as in the present instance), attacks made upon myself—but, never even so, on *my own* account alone; for the many who have so long honored me with their kindness, must have some desire that I should stand *fair* before them.‡ But this implies no obligation on my part, to notice all the dirt thrown at me through the agency of *blackers of paper*, as commanded by their employers—for whom I have an untterable contempt, as dishonoring the profession. The number of these has exceedingly increased of late years. This would shew a vitiated taste in portions of the people—for it seems that outrages of public decency, (and even in respect to a man so amiable, so venerated, as "the father of the constitution," Mr. *Madison*), is a broad road to patronage or preferment! And it is not a little remarkable in my own case, that it is chiefly of those who most fiercely and foully abused one another "like pick-pockets,"* when a lank number of members of congress were about to *manufacture* a president by the force of "party-discipline," having "kissed and made friends," (so far as I have been important enough to excite their notice), are united in abusing me, because that I have steadily pursued one course—then loudly applauded by one party, but now condemned, *so far as they dare*, by both, varying their principles according to the *location of persons*, that "by all means they may gain some." I have the records and the industry, to lash some of these *politicians* as with a "rod of scorpions," if I pleased to enter into party warfare, as editor of the REGISTER,—but, as before observed, I shall not; for whoever supports most ably the well-known measures that I have supported, shall have all the little aid that I can consistently give them. But it might be useless, as to the parties to which I allude—they will speedily lash one another, as heartily as before, unless one of them shall feel itself out-managed and consent to play the *bass fiddle* for the other,—that is, to make a noise as the *leader* directs! We have no part in these things. The "American System" being sustained, we

*This procession, no doubt, formed a part of the movements alluded to by Mr. Madison, in his pamphlet, above referred to.

† With the seventh I never had much communication, and do not know his present opinions in the chief thing which interests me.

‡ While this article was in preparation, I received a letter from a highly distinguished citizen of Virginia, as follows:

"*Dear sir*—I requested your agent here some time since, to communicate my name as a subscriber for the debate on Foot's resolution, which you have published. Presuming that he has neglected to do so, I have taken this method to apprize you of my wishes, and to renew the expression of the cordial interest which I feel in the general diffusion of your valuable Register, and the prevalance of its sound American doctrines. Having been one of its original subscribers, as far back as 1811, I may be allowed, I hope, this single word of encouragement."

*That is, of *two* of the *five* parties which prevailed in 1823-4, or the thorough-radicals and thorough-anti-radicals; one of which desired to limit the operations of the *federal* government to the strictest *letter* of the constitution, the other which gave a *very* liberal, or "latitudinous" construction to the *national* compact; and, in the estimation of these parties at that time, there was a mighty difference between the meaning of the words "federal" and "national!" Many of the "radicals" wore *red jackets*, in token of their zeal, and their *direct* opponents were distinguished in some other way, though I have forgotten how. The "red" and the "white rose," were substantially mounted by the adverse parties. One could hardly find constitution for *any* thing—the other had constitution for *every* thing; and yet these parties "combined" a short time afterwards, using one of the other three *original* parties as an "*amalgam*," but wholly neutralizing, or destroying it, in the *compound* of discordant materials—reserving also, the right to separate themselves at a "convenient season," and leave the "amalgam," when opportunity served, to take care of itself! The time for separation has nearly arrived, and we shall see its effects. Neither has any other affinity than that of supposed interest to the "amalgam," though acting together to deprive it of its *original* force,—and has accomplished it, in every important operation, two or three excepted! And these *two* parties had been originally most hostile to the "amalgam"—agreeing in enmity to it, though in nothing else: and one of them, which seems to have the present preponderance, was excessively abusive of the "amalgam" and yet seems to have obtained a much greater proportion of the rewards—and *influence*, for future use, through the general agency of the compound. The moment that either party finds itself strong enough, it will separate and act for itself: but if both fear the force of what is really a *fourth* party, at present existing—we may not venture to predict what the two parties will do: perhaps, again form an unnatural union.

shall be content. Yet the out-posts must be carefully watched, that the citadel be not suprised, nor, by *traitors*, given up.

ILLINOIS. In the course of September and October, 700 teams are stated to have crossed the Mississippi at Smeltzer's ferry, conveying families to the upper counties of Illinois.

David J. Baker has been appointed by the governor of Illinois, United States senator from that state, to supply the vacancy occasioned by the death of Mr. McLean.

Mr. Baker is said to be opposed in his political tenets, to those of the president and his cabinet.

INTERNAL IMPROVEMENT.

We recommend the following sensible remarks on the subject of internal improvements, taken from a Tennessee paper, to the attention of our readers.

From the Greensboro. (Tenn.) Journal.

The great advantages which would result to the United States as a nation, and to an immense majority of the people as individuals, from internal improvements, are too obvious to be denied. They are accordingly admitted by all, whether advocates or opponents of the system of internal improvement by the general government.—But a variety of opinions are professed in relation to the extent of the constitutional powers of that government. While a vast majority of the American people believe that the United States, for the purposes of military operations, transporting the mail, facilitating internal commerce amongst the states, and removing the obstructions which nature has interposed to the union and prosperity of the different sections of the country, are authorized to make roads and canals, and to open and improve the navigation of rivers—a small minority insists that no such power exists to any extent, except on tide water. Others assert that the power exists within certain limitations, as to the extent of which they cannot agree. Both these latter descriptions of persons insist that an amendment of the constitution is either necessary or highly expedient. An amendment of the constitution cannot be effected, without the assent of three-fourths of the states. Why then do not the states opposed to the power of congress, propose and adopt such an amendment as will give them power necessary to the welfare of the country, accompanied by such limitations and restrictions as will prevent the evils they apprehend? Do they think it the duty of two-thirds of the people, out of complaisance to their opinions, to propose an amendment, giving to congress powers with which they believe them already invested, in order that such an amendment may be defeated by the refusal of one-third to adopt it? Or is it not more reasonable that the minority should come forward with their offer of compromise, which, if accepted, would terminate the contest, and secure the attainment of an object confessedly of incalculable importance to the welfare and prosperity of the country? Surely the latter must be the correct course, unless indeed the modern discovery that the minority have the right to govern, be the true and genuine republican doctrine. That internal improvements are essential to the welfare and prosperity of the country is undeniable. That these improvements, to the extent required by the public interest, never can and never will be made by the states, is obvious to every man who will reflect a moment on the subject. There are but two possible alternatives. The improvements must be made by the general government, or the nation must do without them. Which of these alternatives they prefer is the true question which the American people are now called upon to decide.

TWENTY-FIRST CONGRESS—2nd SESSION.

[The journals of the two houses, though useful for reference, have very little general interest in the first days of a session, and because that we are cramped for room, the details are postponed until next week.]

SENATE.

December 6. At 12 o'clock the roll was called over, and a quorum being present, Mr. *Smith*, the president *pro tem.* took his seat. The usual message, was sent to the house of representatives, by the secretary.

December 7. The standing committees were appointed, the message from the president of the United States received—(see proceedings in the other house), and some small matters attended to.

December 8. After the presentations of a few petitions, the different parts of the president's message were referred to the several committees.

December 9. Nothing important was transacted this day in the senate. It is supposed that the late treaty with Turkey, and that with the Choctaws, were submitted. The senate sat with closed doors half an hour. Adjourned to Monday, at 11 o'clock.

The trial of judge Peck will commence on Monday next.

HOUSE OF REPRESENTATIVES.

Monday, Dec. 6. At 12 o'clock the roll was called over by the clerk, and it was found that a quorum was present. But the speaker not appearing, there was an adjournment until next day, on the suggestion of Mr. *Archer*, and for reasons assigned.

Tuesday, Dec. 7. Mr. *speaker Stevenson* and a quorum appeared—the different messages between the houses were made—the president waited on, &c. and the following received—

PRESIDENT'S MESSAGE.

Fellow citizens of the senate
and of the house of representatives:

The pleasure I have in congratulating you on your return to your constitutional duties is much heightened by the satisfaction which the condition of our beloved country at this period justly inspires. The beneficent Author of all good has granted to us, during the present year, health, peace, and plenty, and numerous causes for joy in the wonderful success which attends the progress of our free institutions.

With a population unparalleled in its increase, and possessing a character which combines the hardihood of enterprise with the considerateness of wisdom, we see in every section of our happy country a steady improvement in the means of social intercourse, and correspondent effects upon the genius and laws of our extended republic.

The apparent exceptions to the harmony of the prospect are to be referred rather to the inevitable diversities in the various interests which enters into the composition of so extensive a whole, than to any want of attachment to the union—interests whose collisions serve only, in the end, to foster the spirit of conciliation and patriotism, so essential to the preservation of that union which, I most devoutly hope, is destined to prove imperishable.

In the midst of these blessings, we have recently witnessed changes in the condition of other nations, which may, in their consequences, call for the utmost vigilance, wisdom and unanimity, in our councils, and the exercise of all the moderation and patriotism of our people.

The important modifications, of their government effected with so much courage and wisdom by the people of France, afford a happy presage of their future course, and has naturally elicited from the kindred feelings of this nation that spontaneous and universal burst of applause in which you have participated. In congratulating you, my fellow citizens, upon an event so auspicious to the dearest interests of mankind, I do no more than respond to the voice of my country, without transcending, in the slightest degree, that salutary maxim of the illustrious Washington, which enjoins an abstinence from all interference with the internal affairs of other nations. From a people exercising, in the most unlimited degree, the right of self-government, and enjoying, as derived from this proud characteristic under the favor of heaven, much of the happiness with which they are blessed; a people who can point in triumph to their free institutions, and challenge comparison with the fruits they bear, as well as with the moderation, intelligence and energy, with which they are administered; from such a people, the deepest sympathy was to be expected in a struggle for the sacred principles of liberty, conducted, in a spirit every way worthy of the cause, and crowned by an heroic moderation which has disarmed revolution of

ts terrors. Notwithstanding the strong assurances which the man whom we so sincerely love and justly admire has given to the world of the high character of the present king of the French, and which, if sustained to the end, will secure to him the proud appellation of patriot king, it is not in his success, but in that of the great principle which has borne him to the throne—the paramount authority to the public will—that the American people rejoice.

I am happy to inform you that the anticipations which were indulged at the date of my last communication on the subject of our foreign affairs, have been fully realized in several important particulars.

An arrangement has been effected with Great Britain in relation to the trade between the United States and her West India and North American colonies, which has settled a question that has for years afforded matter for contention and almost uninterrupted discussion, and has been the subject of no less than six negotiations, in a manner which promises results highly favorable to the parties.

The abstract right of Great Britain to monopolize the trade with her colonies, or to exclude us from a participation therein, has never been denied by the U. States. But we have contended, and with reason, that if at any time, Great Britain may desire the productions of this country as necessary to her colonies, they must be received upon principles of just reciprocity; and further, that it is making an invidious and unfriendly distinction to open her colonial ports to the vessels of other nations, and close them against those of the United States.

Antecedently to 1794, a portion of our productions was admitted into the colonial islands of Great Britain, by particular concession, limited to the term of one year, but renewed from year to year. In the transportation of these productions, however, our vessels were not allowed to engage; this being a privilege reserved to British shipping, by which alone our produce could be taken to the islands, and theirs brought to us in return. From Newfoundland and her continental possessions, all our productions, as well as our vessels were excluded with occasional relaxations, by which in seasons of distress, the former were admitted in British bottoms.

By the treaty of 1794, she offered to concede to us, for a limited time, the right of carrying to her West ndia possessions, in our vessels not exceeding seventy tons burthen, and upon the same terms as British vessels, any productions of the United States which British vessels might import therefrom. But this privilege was coupled with conditions which are supposed to have led to its rejection by the senate: that is, that American vessels should land their return cargoes in the United States only; and moreover, that they should, during the continuance of the privilege, be precluded f om carrying molasses, sugar, cocoa or cotton, either om those islands or from the United States, to any other part of the world. Great Britain readily consented to expunge this article from the treaty; and subsequent attempts to arrange the terms of the trade, either by treaty stipulations or concerted legislation, having failed, it has been successively suspended and allowed, according to the varying legislation of the parties.

The following are the prominent points, which have, in later years, separated the two governments. Besides a restriction, whereby all importations into her colonies in American vessels are confined to our own products carried hence, a restriction to which it does not appear that we have ever objected, a leading object on the part of Great Britain has been to prevent us from becoming the carriers of British West India commodities to any other country than our own. On the part of the United States, it has been contended, 1st. That the subject should be regulated by treaty stipulations, in preference to separate legislation; 2nd. That our productions, when imported into the colonies in question, should not be subject to higher duties than the productions of the mother country, or of her other colonial possessions; And, 3d. That our vessels should be allowed to participate in the circuitous trade between the United States and different parts of the British dominions.

The first point, after having been, for a long time, strenuously insisted upon by Great Britain, was given up by the act of parliament of July, 1825, all vessels suffered to trade with the colonies being permitted to clear from thence with any articles which British vessels might export; and proceed to any part of the world, Great Britain and her dependencies alone excepted. On our part, each of the above points had, in succession, been explicitly abandoned in negotiations preceding that of which the result is now announced.

This arrangement secures to the United States every advantage asked by them, and which the state of the negotiation allowed us to insist upon. The trade will be placed upon a footing decidedly more favorable to this country than any on which it ever stood; and our commerce and navigation will enjoy, in the colonial ports of Great Britain, every privilege allowed to other nations.

That the prosperity of the country, so far as it depends on this trade, will be greatly promoted by the new arrangement, there, can be no doubt. Independently of the more obvious advantages of an open and direct intercourse, its establishment will be attended with other consequences of a higher value. That which has been carried on since the mutual interdict under all the expenses and inconvenience unavoidably incident to it, would have been insupportably onerous had it not been in a great degree, lightened by concerted evasions in the mode of making the transhipments at what are called the neutral ports. These indirections are inconsistent with the dignity of nations that have so many motives, not only to cherish feelings of mutual friendship, but to maintain such relations as will stimulate their respective citizens and subjects to efforts of direct, open and honorable competition only; will preserve them from the influence of seductive and vitiating circumstances.

When your preliminary interposition was asked at the close of the last session, a copy of the instructions under which Mr. McLane has acted, together with the communications which had at that time passed between him and the British government, was laid before you. Although there has not been any thing in the acts of the two governments which requires secrecy, it was thought most proper, in the then state of the negotiation to make that communication a confidential one. So soon, however, as the evidence of execution on the part of Great Britain is received, the whole matter shall be laid before you, when it will be seen that the apprehension which appears to have suggested one of the provisions of the act passed at your last session, that the restoration of the trade in question might be connected with other subjects, and was sought to be obtained at the sacrifice of the public interest in other particulars, was wholly unfounded; and that the change which has taken place in the views of the British government has been induced by considerations as honorable to both parties, as, I trust, the result will prove beneficial.

This desirable result was, it will be seen, greatly promoted by the liberal and confiding provisions of the act of congress of the last session, by which our ports were, upon the reception and annuneiation by the president, of the required assurance on the part of Great Britain, forthwith opened to her vessels, before the arrangement could be carried into effect on her part; pursuing, in this act of prospective legislation, a similar course to that adopted by Great Britain, in abolishing, by her act of parliament, in 1825, a restriction then existing, and permitting our vessels to clear from the colonies, on their return voyages, for any foreign country whatever, before British vessels had been relieved from the restriction imposed by our law, of returning directly from the U. States to the colonies—a restriction which she required and expected that we should abolish. Upon each occasion, a limited and temporary advantage has been given to the opposite party, but an advantage of no importance in comparison with the restoration of mutual confidence and good feelings, and the ultimate establishment of the trade upon fair principles.

It gives me unfeigned pleasure to assure you that this negotiation has been, throughout, characterized by the most frank and friendly spirit on the part of Great Britain, and concluded in a manner strongly indicative of a sincere desire to cultivate the best relations with the United States. To reciprocate this disposition to the fullest extent of my ability, is a duty which I shall deem it a privilege to discharge.

Although the result is, itself, the best commentary on the services rendered to his country by our minister at the court of St. James, it would be doing violence to my feelings were I to dismiss the subject without expressing the very high sense I entertain of the talent and exertion which have been displayed by him on the occasion.

The injury to the commerce of the United States resulting from the exclusion of our vessels from the Black Sea, and the previous footing of mere sufferance upon which even the limited trade enjoyed by us with Turkey has hitherto been placed, have, for a long time, been a source of much solicitude to this government; and several endeavors have been made to obtain a better state of things. Sensible of the importance of the object, I felt it my duty to leave no proper means unemployed to acquire for our flag the same privileges that are enjoyed by the principal powers of Europe. Commissioners were, consequently, appointed, to open a negotiation with the sublime porte. Not long after the member of the commission who went directly from the United States had sailed, the account of the treaty of Adrianople, by which one of the objects in view was supposed to be secured, reached this country. The Black Sea was understood to be opened to us. Under the supposition that this was the case, the additional facilities to be derived from the establishment of commercial regulations with the porte, were deemed of sufficient importance to require a prosecution of the negotiation as originally contemplated. It was therefore persevered in, and resulted in a treaty, which will be forthwith laid before the senate.

By its provisions, a free passage is secured, without limitation of time, to the vessels of the United States, to and from the Black Sea, including the navigation thereof; and our trade with Turkey is placed on the footing of the most favored nation. The latter is an arrangement wholly independent of the treaty of Adrianople; and the former derives much value, not only from the increased security which, under any circumstances, it would give to the right in question, but from the fact, ascertained in the course of the negotiation, that, by the construction put upon that treaty by Turkey, the article relating to the passage of the Bosphorus is confined to nations having treaties with the porte. The most friendly feelings appear to be entertained by the sultan, and an enlightened disposition is evinced by him to foster the intercourse between the two countries by the most liberal arrangements. This disposition it will be our duty and interest to cherish.

Our relations with Russia are of the most stable character. Respect for that empire, and confidence in its friendship towards the United States, have been so long entertained on our part, and so carefully cherished by the present emperor and his illustrious predecessor, as to have become incorporated with the public sentiment of the United States. No means will be left unemployed on my part to promote these salutary feelings, and those improvements of which the commercial intercourse between the two countries is susceptible, and which have derived increased importance from our treaty with the sublime porte.

I sincerely regret to inform you that our minister lately commissioned to that court, on whose distinguished talents and great experience in public affairs I place great reliance, has been compelled by extreme indisposition, to exercise a privilege, which, in consideration of the extent to which his constitution had been impaired in the public service, was committed to his discretion—of leaving temporarily his post for the advantage of a more genial climate.

If, as it is to be hoped, the improvement of his health should be such as to justify him in doing so, he will repair to St. Petersburg, and resume the discharge of his official duties. I have received the most satisfactory assurance that, in the mean time, the public interests in that quarter will be preserved from prejudice, by the intercourse, which he will continue, through the secretary of legation, with the Russian cabinet.

You are apprised, although the fact has not yet been officially announced to the house of representatives, that a treaty was, in the month of March last, concluded between the United States and Denmark, by which $650,000 are secured to our citizens as an indemnity for spoliations upon their commerce in the years 1808, 1809, 1810, and 1811. This treaty was sanctioned by the senate at the close of its last session, and it now becomes the duty of congress to pass the necessary laws for the organization of the board of commissioners to distribute the indemnity amongst the claimants. It is an agreeable circumstance of this adjustment, that its terms are in conformity with the previously ascertained views of the claimants themselves; thus removing all pretence for a future agitation of the subject in any form.

The negotiations in regard to such points in our foreign relations as remained to be adjusted, have been actively prosecuted during the recess. Material advances have been made, which are of a character to promise favorable results. Our country, by the blessing of God, is not in a situation to invite aggression; and it will be our fault if she ever becomes so. Sincerely desirous to cultivate the most liberal and friendly relations with all; ever ready to fulfil our engagements with scrupulous fidelity; limiting our demands upon others to mere justice; holding ourselves ever ready to do unto them as we would wish to be done by, and avoiding even the appearance of undue partiality to any nation, it appears to me impossible that a simple and sincere application of our principles to our foreign relations, can fail to place them ultimately upon the footing on which it is our wish they should rest.

Of the points referred to, the most prominent are, our claims upon France for spoliations upon our commerce; similar claims upon Spain, together with embarrassments in the commercial intercourse between the two countries which ought to be removed; the conclusion of the treaty of commerce and navigation with Mexico, which has been so long in suspense, as well as the final settlement of limits between ourselves and that republic; and finally the arbitrament of the question between the United States and Great Britain in regard to the northeastern boundary.

The negotiation with France has been conducted by our minister with zeal and ability, and in all respects to my entire satisfaction. Although the prospect of a favorable termination was occasionally dimmed by counter-pretensions, to which the United States could not assent, he yet had strong hopes of being able to arrive at a satisfactory settlement with the late government. The negotiation has been renewed with the present authorities; and, sensible of the general and lively confidence of our citizens in the justice and magnanimity of regenerated France, I regret the more not to have it in my power, yet, to announce the result so confidently anticipated. No ground, however, inconsistent with this expectation, has been taken; and I do not allow myself to doubt that justice will soon be done to us. The amount of the claims, the length of time they have remained unsatisfied, and their incontrovertible justice, make an earnest prosecution of them by this government an urgent duty. The illegality of the seizures and confiscations out of which they have arisen is not disputed; and whatever distinctions may have heretofore been set up in regard to the liability of the existing government, it is quite clear that such considerations cannot now be interposed.

The commercial intercourse between the two countries is susceptible of highly advantageous improvements; but the sense of this injury has had, and must continue to have, a very unfavorable influence upon them. From its satisfactory adjustment, not only a firm and cordial friendship, but a progressive developement of all their relations, may be expected. It is, therefore, my earnest hope that this old and vexatious subject of difference may be speedily removed.

I feel that my confidence in our appeal to the motives which should govern a just and magnanimous nation, is alike warranted by the character of the French people, and by the high voucher we possess for the enlarged views and pure integrity of the monarch who now presides over their councils; and nothing shall be wanting on my part to meet any manifestation of the spirit we anticipate in one of corresponding frankness and liberality.

The subjects of difference with Spain have been brought to the view of that government, by our minister there, with much force and propriety; and the strongest assurances have been received of their early and favorable consideration.

The steps which remained to place the matter in controversy between Great Britain and the United States fairly before the arbitrator, have all been taken in the same liberal and friendly spirit which characterized those before announced. Recent events have doubtless served to delay the decision, but our minister at the court of the distinguished arbitrator has been assured that it will be made within the time contemplated by the treaty.

I am particularly gratified in being able to state that a decidedly favorable, and, as I hope, lasting change has been effected in our relations with the neighboring republic of Mexico. The unfortunate and unfounded suspicions in regard to our disposition, which it became my painful duty to advert to on a former occasion, have been, I believe, entirely removed; and the government of Mexico has been made to understand the real character of the wishes and views of this, in regard to that country. The consequence is, the establishment of friendship and mutual confidence. Such are the assurances which I have received, and I see no cause to doubt their sincerity.

I had reason to expect the conclusion of a commercial treaty with Mexico, in season for communication on the present occasion. Circumstances which are not explained, but which, I am persuaded, are not the result of an indisposition on her part to enter into it, have produced the delay.

There was reason to fear, in the course of the last summer, that the harmony of our relations might be disturbed by the acts of certain claimants, under Mexican grants, of territory which has hitherto been under our jurisdiction. The co-operation of the representative of Mexico near this government was asked on the occasion, and was readily afforded. Instructions and advice have been given to the governor of Arkansas and the officers in command in the adjoining Mexican state, by which, it is hoped, the quiet of that frontier will be preserved, until a final settlement of the dividing line shall have removed all ground of controversy.

The exchange of ratifications of the treaty concluded last year with Austria has not yet taken place. The delay has been occasioned by the non-arrival of the ratification of that government within the time prescribed by the treaty. Renewed authority has been asked for by the representative of Austria; and, in the mean time, the rapidly increasing trade and navigation between the two countries have been placed upon the most liberal footing of our navigation acts.

Several alledged depredations have been recently committed on our commerce by the national vessels of Portugal. They have been made the subject of immediate remonstrance and reclamation. I am not yet possessed of sufficient information to express a definitive opinion of their character, but expect soon to receive it. No proper means shall be omitted to obtain for our citizens all the redress to which they may appear to be entitled.

Almost at the moment of the adjournment of your last session, two bills, the one entitled, "an act for making appropriations for building light houses, light boats, beacons, and monuments, placing buoys, and for improving harbors and directing surveys," and the other, "an act to authorize a subscription for stock in the Louisville and Portland canal company," were submitted for my approval. It was not possible, within the time allowed me, before the close of the session, to give these bills the consideration which was due to their character and importance; and I was compelled to retain them for that purpose. I now avail myself of this early opportunity to return them to the houses in which they respectively originated, with the reasons which, after mature deliberation compel me to withhold my approval.

The practice of defraying out of the treasury of the United States the expenses incurred by the establishment and support of light houses, beacons, buoys, and public piers, within the bays, inlets, harbors, and ports of the United States, to render the navigation thereof safe and easy, is coeval with the adoption of the constitution, and has been continued without interruption or dispute.

As our foreign commerce increased, and was extended into the interior of the country by the establishment of ports of entry and delivery upon our navigable rivers, the sphere of those expenditures received a corresponding enlargement. Light houses, beacons, buoys, public piers, and the removal of sand bars, sawyers, and other partial or temporary impediments in the navigable rivers and harbors which were embraced in the revenue districts, from time to time, established by law, were authorized upon the same principle, and the expense defrayed in the same manner. That these expenses have at times been extravagant and disproportionate, is very probable.

The circumstances under which they are incurred, are well calculated to lead to such a result, unless their application is subjected to the closest scrutiny. The local advantages arising from the disbursement of public money too frequently, it is to be feared, invite appropriations for objects of this character that are neither necessary nor useful. The number of light house keepers is already very large, and the bill before me proposes to add to it fifty-one more, of various descriptions. From representations upon the subject which are understood to be entitled to respect, I am induced to believe that there has not only been great improvidence in the past expenditures of the government upon these objects, but that the security of navigation has, in some instances, been diminished by the multiplication of light houses and consequent change of lights, upon the coast.

It is in this, as in other respects, our duty to avoid all unnecessary expense, as well as every increase of patronage not called for by the public service. But, in the discharge of that duty in this particular, it must not be forgotten that, in relation to our foreign commerce, the burden and benefit of protecting and accommodating it necessarily go together, and must do so as long as the public revenue is drawn from the people through the custom house. It is indisputable, that whatever gives facility and security to navigation, cheapens imports; and all who consume them are alike interested in whatever produces this effect. If they consume, they ought, as they now do, to pay; otherwise, they do not pay. The consumer in the most inland state derives the same advantage from every necessary and prudent expenditure for the facility and security of our foreign commerce and navigation, that he does who resides in a maritime state. Local expenditures have not, of themselves, a correspondent operation.

From a bill making *direct* appropriations for such objects I should not have withheld my assent. The one now returned does so in several particulars, but it also contains appropriations for surveys of a local character, which I cannot approve. It gives me satisfaction to find that no serious inconvenience has arisen from withholding my approval from this bill; nor will it, I trust, be cause of regret that an opportunity will be thereby afforded for congress to review its provisions under circumstances better calculated for full investigation than those under which it was passed.

In speaking of direct appropriations, I mean not to include a practice which has obtained to some extent, and to which I have, in one instance, in a different capacity, given my assent—that of subscribing to the stock of private associations. Positive experience, and a more thorough consideration of the subject, have convinced me of the impropriety as well as inexpediency of such investments. All improvements effected by the funds of the nation, for general use, should be open to the enjoyment of all our fellow citizens, exempt from the payment of tolls, or any imposition of that character. The practice of thus mingling the concerns of the government with those of the states or of individuals, is inconsistent with the object of its institution, and highly impolitic. The successful operation of the federal system can only be preserved confining it to the few and simple, but yet important objects for which it was designed.

A different practice, if allowed to progress, would, ultimately change the character of this government, by consolidating into one, the general and state governments, which were intended to be kept forever distinct. I cannot perceive how bills authorizing such subscriptions can be otherwise regarded than as bills for revenue, and consequently subject to the rule in that respect prescribed by the constitution. If the interest of the government in

private companies is subordinate to that of individuals, the management and control of a portion of the public funds is delegated to an authority unknown to the constitution, and beyond the supervision of our constituents: if superior, its officers and agents will be constantly exposed to imputations of favoritism and oppression. Direct prejudice to the public interest, or an alienation of the affections and respect of portions of the people, may, therefore, in addition to the general discredit resulting to the government from embarking with its constituents in pecuniary speculations, be looked for as the probable fruit of such associations. It is no answer to this objection to say that the extent of consequences like these cannot be great from a limited and small number of investments: because experience in other matters teaches us, and we are not at liberty to disregard its admonitions, that, unless an entire stop be put to them, it will soon be impossible to prevent their accumulation, until they are spread over the whole country, and made to embrace many of the private and appropriate concerns of individuals.

The power which the general government would acquire within the several states by becoming the principal stockholder in corporations, controlling every canal, and each sixty or hundred miles of every important road, and giving a proportionate vote in all their elections, is almost inconceivable, and, in my view, dangerous to the liberties of the people.

This mode of aiding such works is, also, in its nature, deceptive, and in many cases conducive to improvidence in the administration of the national funds. Appropriations will be obtained with much greater facility, and granted with less security to the public interest, when the measure is thus disguised, than when definite and direct expenditures of money are asked for. The interests of the nation would doubtless be better served by avoiding all such indirect modes of aiding particular objects. In a government like ours, more especially, should all public acts be, as far as practicable, simple, undisguised, and intelligible, that they may become fit subjects for the approbation or animadversion of the people. The bill authorizing a subscription to the Louisville and Portland canal affords a striking illustration of the difficulty of withholding additional appropriations for the same object, when the first erroneous step has been taken by instituting a partnership between the government and private companies. It proposes a third subscription on the part of the United States, when each preceding one was at the time regarded as the extent of the aid which government was to render to that work; and the accompanying bill for light houses, &c. contains an appropriation for a survey of the bed of the river, with a view to its improvement, by removing the obstruction which the canal is designed to avoid. This improvement, if successful, would afford a free passage to the river, and render the canal entirely useless. To such improvidence is the course of legislation subject, in relation to internal improvements on local matters, even with the best intentions on the part of congress.

Although the motives which have influenced me in this matter may be already sufficiently stated, I am, nevertheless, induced by its importance to add a few observations of a general character.

In my objections to the bills authorizing subscriptions to the Maysville and Rockville road companies, I expressed my views fully in regard to the power of congress to construct roads and canals within a state, or to appropriate money for improvements of a local character. I at the same time, intimated my belief that the right to make appropriations for such as were of a national character had been so generally acted upon, and so long acquiesced in by the federal and state governments, and the constituents of each, as to justify its exercise on the ground of continued and uninterrupted usage; but that it was, nevertheless, highly expedient that appropriations, even of that character, should, with the exception made at the time, be deferred until the national debt is paid, and that, in the mean while, some general rule for the action of the government in that respect ought to be established.

These suggestions were not necessary to the decision of the question then before me; and were, I readily admit, intended to awaken the intention, and drawing forth the opinions and observations, of our constituents, upon a subject of the highest importance to their interests, and one destined to exert a powerful influence upon the future operations of our political system. I know of no tribunal to which a public man in this country, in a case of doubt and difficulty, can appeal with greater advantage or more propriety, than the judgment of the people; and although I must necessarily, in the discharge of my official duties, be governed by the dictates of my own judgement, I have no desire to conceal my anxious wish to conform, as far as I can, to the views of those for whom I act.

All irregular expressions of public opinion are of necessity attended with some doubt as to their accuracy; but, making full allowances on that account, I cannot, I think, deceive myself in believing that the acts referred to, as well as the suggestions which I allowed myself to make in relation to their bearing upon the future operations of the government, have been approved by the great body of the people. That those whose immediate pecuniary interests are to be affected by proposed expenditures, should shrink from the application of a rule which prefers their more general and remote interests to those which are personal and immediate, is to be expected. But even such objections must, from the nature of our population, be but temporary in their duration; and if it were otherwise, our course should be the same, for the time is yet, I hope, far distant, when those entrusted with power to be exercised for the good of the whole, will consider it either honest or wise to purchase local favor at the sacrifice of principle and the general good.

So understanding public sentiment, and thoroughly satisfied that the best interests of our common country imperiously require that the course which I have recommended in this regard should be adopted, I have upon the most mature consideration, determined to pursue it.

It is due to candor, as well as to my own feelings, that I should express the reluctance and anxiety which I must at all times experience in exercising the undoubted right of the executive to withhold his assent from bills on other grounds than their unconstitutionality. That this right should not be exercised on slight occasions, all will admit. It is only in matters of deep interest, when the principle involved may be justly regarded as next in importance to infractions of the constitution itself, that such a step can be expected to meet with the approbation of the people. Such an occasion do I conscientiously believe the present to be. In the discharge of this delicate and highly responsible duty, I am sustained by the reflection that the exercise of this power has been deemed consistent with the obligation of official duty by several of my predecessors; and by the persuasion too, that, whatever liberal institutions may have to fear from the encroachments of executive power, which has been every where the cause of so much strife and bloody contention, but little danger is to be apprehended from a precedent by which that authority denies to itself the exercise of powers that bring in their train, influence and patronage of great extent; and thus excludes the operation of personal interests, every where the bane of official trust. I derive, too, no small degree of satisfaction from the reflection, that, if I have mistaken the interests and wishes of the people, the constitution affords the means of soon redressing the error, by selecting for the place their favor has bestowed upon me, a citizen whose opinions may accord with their own. I trust, in the mean time, the interests of the nation will be saved from prejudice, by a rigid application of that portion of the public funds which might otherwise be applied to different objects to that highest of all our obligations, the payment of the public debt, and an opportunity be afforded for the adoption of some better rule for the operations of the government in this matter than any which has hitherto been acted upon.

Profoundly impressed with the importance of the subject, not merely as it relates to the general prosperity of the country, but to the safety of the federal system, I cannot avoid repeating my earnest hope that all good citizens, who take a proper interest in the success and harmony of our admirable political institutions, and who are incapable of desiring to convert an opposite state of things into means for the gratification of personal ambition—will, laying aside minor considerations, and dis-

carding local prejudices, unite their honest exertions to establish some fixed general principle, which shall be calculated to effect the greatest extent of public good in regard to the subject of internal improvement, and afford the least ground for sectional discontent.

The general ground of my objection to local appropriations has been heretofore expressed; and I shall endeavor to avoid a repetition of what has been already urged—the importance of sustaining the state sovereignties, as far as is consistent with the rightful action of the federal government, and of preserving the greatest attainable harmony between them. I will now only add an expression of my conviction—a conviction which every day's experience serves to confirm—that the political creed which inculcates the pursuit of those great objects as a paramount duty is the true faith, and one to which we are mainly indebted for the present success of the entire system, and to which we must alone look for its future stability.

That there are diversities in the interests of the different states which compose this extensive confederacy, must be admitted. Those diversities, arising from situation, climate, population and pursuits, are doubtless, as it is natural they should be, greatly exaggerated by jealousies, and that spirit of rivalry so inseperable from neighboring communities. These circumstances make it the duty of those who are entrusted with the management of its affairs to neutralize their effects as far as practicable, by making the beneficial operation of the federal government as equal and equitable among the several states as can be done consistently with the great ends of its institution.

It is only necessary to refer to undoubted facts, to see how far the past acts of the government upon the subject under consideration have fallen short of this object. The expenditures heretofore made for internal improvements amount to upwards of five millions of dollars, and have been distributed in very unequal proportions amongst the states. The estimated expense of works of which surveys have been made, together with that of others projected and partially surveyed, amount to more than ninety-six millions of dollars.

That such improvements, on account of particular circumstances, may be more advantageously and beneficially made in some states than in others, is doubtless true; but that they are of a character which should prevent an equitable distribution of the funds amongst the several states, is not to be conceded. The want of this equitable distribution cannot fail to prove a prolific source of irritation amongst the states.

We have it constantly before our eyes, that professions of superior zeal in the cause of internal improvement, and a disposition to lavish the public funds upon objects of that character, are daily and earnestly put forth by aspirants to power, as constituting the highest claims to the confidence of the people. Would it be strange, under such circumstances, and in times of great excitement, that grants of this description should find their motives in objects which may not accord with the public good? Those who have not had occasion to see and regret the indication of a sinister influence in these matters in past times, have been more fortunate than myself in their observation of the course of public affairs. It to these evils be added the combinations and angry contentions to which such a course of things gives rise, with their baleful influences upon the legislation of congress touching the leading and appropriate duties of the federal government, it was but doing justice to the character of our people to expect the severe condemnation of the past which the recent exhibition of public sentiment has evinced.

Nothing short of a radical change in the action of the government upon the subject, can, in my opinion, remedy the evil. It, as it would be natural to expect, the states which have been least favored in past appropriations should insist on being redressed in those hereafter to be made, at the expense of the states which have so largely and disproportionately participated, we have, as matters now stand, but little security that the attempt would do more than change the inequality from one quarter to another.

Thus viewing the subject, I have heretofore felt it my duty to recommend the adoption of some plan for the distribution of the surplus funds which may at any time remain in the treasury after the national debt shall have been paid, among the states, in proportion to the number of their representatives, to be applied by them to objects of internal improvement.

Although this plan has met with favor in some portions of the union, it has also elicited objections which merit deliberate consideration. A brief notice of these objections here will not, therefore, I trust, be regarded as out of place.

They rest, as far as they have came to my knowledge, on the following grounds: 1st, an objection to the ratio of distribution; 2d, an apprehension that the existence of such a regulation would produce improvident and oppressive taxation to raise the funds for distribution; 3d, that the mode proposed would lead to the construction of works of a local nature, to the exclusion of such as are general, and as would consequently be of a more useful character, and, last, that it would create a discreditable and injurious dependence, on the part of the state governments, upon the federal power. Of those who object to the ratio of representation as the basis of distribution, some insist that the importations of the respective states would constitute one that would be more equitable; and others again, that the extent of their respective territories would furnish a standard which would be more expedient, and sufficiently equitable.

The ratio of representation presented itself to my mind, and it still does, as one of obvious equity, because of its being the ratio of contribution, whether the funds to be distributed be derived from the customs or from direct taxation. It does not follow, however, that its adoption is indispensable to the establishment of the system proposed. There may be considerations appertaining to the subject which would render a departure, to some extent, from the rule of contribution, proper. Nor is it absolutely necessary that the basis of distribution be confined to one ground. It may, if, in the judgement of those whose right it is to fix it, it be deemed politic and just to give it that character, have regard to several.

In my first message, I stated it to be my opinion that "it is not probable that any adjustment of the tariff upon principles satisfactory to the people of the union will, until a remote period, if ever, leave the government without a considerable surplus in the treasury, beyond what may be required for its current service." I have had no cause to change that opinion, but much to confirm it. Should these expectations be realized, a suitable fund would thus be produced for the plan under consideration to operate upon; and if there be no such fund, its adoption will, in my opinion, work no injury to any interest, for I cannot assent to the justness of the apprehension that the establishment of the proposed system would tend to the encouragement of improvident legislation of the character supposed. Whatever the proper authority, in the exercise of constitutional power, shall, at any time hereafter, decide to be for the general good, will, in that as in other respects, deserve and receive the acquiescence and support of the whole country; and we have ample security that every abuse of power in that regard, by the agents of the people, will receive a speedy and effectual corrective at their hands. The views which I take of the future, founded on the obvious and increasing improvement of all classes of our fellow citizens, in intelligence, and in public and private virtue, leave me without much apprehension on that head.

I do not doubt that those who come after us, will be as much alive as we are to the obligation upon all the trustees of political power to exempt those for whom they act from all unnecessary burdens; and as sensible of the great truth, that the resources of the nation, beyond those required for the immediate and necessary purposes of government, can no where be so well deposited as in the pockets of the people.

It may sometimes happen that the interests of particular states would not be deemed to coincide with the general interest in relation to improvement within such states. But if the danger to be apprehended from this source is sufficient to require it, a discretion might be reserved to congress to direct, to such improvements of a general character as the states concerned might not be disposed to unite in, the application of the quotas of

those states, under the restriction of confining to each state the expenditure of its appropriate quota. It may, however, be assumed as a safe general rule, that such improvements as serve to increase the prosperity of the respective states in which they are made, by giving new facilities to trade, and thereby augmenting the wealth and comfort of their inhabitants, constitute the surest mode of conferring permanent and substantial advantages upon the whole. The strength, as well as the true glory of the confederacy, is mainly founded on the prosperity and power of the several independent sovereignties of which it is composed, and the certainty with which they can be brought into successful active co-operation, through the agency of the federal government.

It is, moreover, within the knowledge of such as are at all conversant with public affairs, that schemes of internal improvement have, from time to time, been proposed which, from their extent and seeming magnificence, were regarded as of national concernment, but which, upon fuller consideration and further experience would now be rejected with great unanimity.

That the plan under consideration would derive important advantages from its certainty; and that the moneys set apart for these purposes would be more judiciously applied and economically expended under the direction of the state legislatures, in which every part of each state is immediately represented, cannot, I think, be doubted. In the new states particularly, where a comparatively small population is scattered over an extensive surface, and the representation in congress consequently very limited, it is natural to expect that the appropriations made by the federal government, would be more likely to be expended in the vicinity of those members through whose immediate agency they were obtained, than if the funds were placed under the control of the legislature, in which every county of the state has its own representative. This supposition does not necessarily impugn the motives of such congressional representatives, nor is it so intended. We are all sensible of the bias to which the strongest minds and purest hearts are, under such circumstances, liable. In respect to the last objection, its probable effect upon the dignity and independence of the state governments, it appears to me, only necessary to state the case as it is, and as it would be if the measure proposed were adopted, to show that the operation is most likely to be the very reverse of that which the objection supposes.

In the one case, the state would receive its quota of the national revenue for domestic use, upon a fixed principle, as a matter of right, and from a fund to the creation of which it had itself contributed its fair proportion. Surely there could be nothing derogatory in that. As matters now stand, the states themselves, in their sovereign character, are not unfrequently petitioners at the bar of the federal legislature for such allowances out of the national treasury, as it may comport with their pleasure or sense of duty to bestow upon them. It cannot require argument to prove which of the two courses is most compatible with the efficiency or respectability of the state governments.

But all these are matters for discussion and dispassionate consideration. That the desired adjustment would be attempted with difficulty, affords no reason why it should not be attempted. The effective operation of such motives would have prevented the adoption of the constitution under which we have so long lived, and under the benign influence of which our beloved country has so signally prospered. The framers of that sacred instrument had greater difficulties to overcome, and they did overcome them. The patriotism of the people, directed by a deep conviction of the importance of the union, produced mutual concession and reciprocal forbearance. Strict right was merged in a spirit of compromise, and the result has consecrated their disinterested devotion to the general weal. Unless the American people have degenerated, the same result can be again effected, whenever experience points out the necessity of a resort to the same means to uphold the fabric which their fathers have reared.

It is beyond the power of man to make a system of government like ours, or any other, operate with precise equality upon states situated like those which compose this confederacy; nor is inequality always injustice. Every state cannot expect to shape the measures of the general government to suit its own particular interests. The causes which prevent it are seated in the nature of things, and cannot be entirely counteracted by human means. Mutual forbearance, therefore, becomes a duty obligatory upon all; and we may, I am confident, count on a cheerful compliance with this high injunction, on the part of our constituents. It is not to be supposed that they will object to make such comparatively inconsiderable sacrifices for the preservation of rights and privileges, which other less favored portions of the world have in vain waded through seas of blood to acquire.

Our course is a safe one, if it be but faithfully adhered to. Acquiescence in the constitutionally expressed will of the majority, and the exercise of that will in a spirit of moderation, justice, and brotherly kindness, will constitute a cement which would forever preserve our union. Those who cherish and inculcate sentiments like these, render a most essential service to their country; whilst those who seek to weaken their influence, are, however conscientious and praiseworthy their intentions, in effect its worst enemies.

If the intelligence and influence of the country, instead of laboring to foment sectional prejudices, to be made subservient to party warfare, were, in good faith, applied to the eradication of causes of local discontent, by the improvement of our institutions, and by facilitating their adaptation to the condition of the times, this task would prove one of less difficulty. May we not hope that the obvious interests of our common country, and the dictates of an enlightened patriotism, will, in the end, lead the public mind in that direction.

After all, the nature of the subject does not admit of a plan wholly free from objection. That which has for some time been in operation is, perhaps, the worst that could exist; and every advance that can be made in its improvement is a matter eminently worthy of your most deliberate attention.

It is very possible that one better calculated to effect the objects in view may yet be devised. If so, it is to be hoped that those who disapprove of the past, and dissent from what is proposed for the future, will feel it their duty to direct their attention to it, as they must be sensible that, unless some fixed rule for the action of the federal government in this respect is established, the course now attempted to be arrested will be again resorted to. Any mode which is calculated to give the greatest degree of effect and harmony to our legislation upon the subject—which shall best serve to keep the movements of the federal government within the sphere intended by those who modelled and those who adopted it—which shall lead to the extinguishment of the national debt in the shortest period, and impose the lightest burdens upon our constituents, shall receive from me a cordial and firm support.

Among the objects of great national concern, I cannot omit to press again upon your attention that part of the constitution which regulates the election of president and vice-president. The necessity for its amendment is made so clear to my mind by the observation of its evils, and by the many able discussions which they have elicited on the floor of congress and elsewhere, that I should be wanting to my duty were I to withhold another expression of my deep solicitude upon the subject. Our system, fortunately, contemplates a recurrence to first principles, differing, in this respect, from all that have preceded it, and securing it, I trust, equally against the decay and the commotions which have marked the progress of other governments. Our fellow citizens, too, who, in proportion to their love of liberty, keep a steady eye upon the means of sustaining it, do not require to be reminded of the duty they owe to themselves to remedy all essential defects in so vital a part of their system. While they are sensible that every evil attendant upon its operation is not, necessarily, indicative of a bad organization, but may proceed from temporary causes, yet the habitual presence, or even a single instance of evils, which can be clearly traced to an organic defect, will not, I trust, be overlooked through a too scrupulous veneration for the work of their ancestors. The constitution was an experiment committed to the virtue and intelligence of the great mass of our countrymen, in whose ranks the framers of it themselves were to perform the part of patriotic observation and scrutiny; and, if they have passed from the stage of existence with an increased confidence in its general adaptation to our condition, we should learn from authority so high the duty of fortifying the points in it, which time proves to be exposed, rather than be deterred from approaching them by the suggestions of facts, or the dictates of misplaced reverence.

A provision which does not secure to the people a direct choice of their chief magistrate, but has a tendency to defeat their will,

presented to my mind such an inconsistency with the general spirit of our institutions, that I was induced to suggest for your consideration the substitute which appeared to me, at the same time, the most likely to correct the evil and to meet the views of our constituents. The most mature reflection since, has added strength to the belief, that the best interests of our country require the speedy adoption of some plan calculated to effect this end. A contingency which sometimes places it in the power of a single member of the house of representatives to decide an election of so high and solemn a character, is unjust to the people, and becomes, when it occurs, a source of embarrassment to the individuals thus brought into power, and a cause of distrust of the representative body. Liable as the confederacy is, from its great extent, to parties, founded upon sectional interests, and to a corresponding multiplication of candidates for the presidency, the tendency of the constitutional reference to the house of representatives, is to devolve the election upon that body in almost every instance, and, whatever choice may then be made among the candidates thus presented to them, to swell the influence of particular interests to a degree inconsistent with the general good. The consequences of this feature of the constitution appear far more threatening to the peace and integrity of the union than any which I can conceive as likely to result from the simple legislative action of the federal government.

It was a leading object with the framers of the constitution to keep as separate as possible the action of the legislative and executive branches of the government. To secure this object, nothing is more essential than to preserve the former from the temptations of private interest, and, therefore, so to direct the patronage of the latter as not to permit such temptations to be offered. Experience abundantly demonstrates that every precaution in this respect is a valuable safeguard of liberty, and one which my reflections upon the tendencies of our system incline me to think should be made still stronger. It was for this reason that, in connexion with an amendment of the constitution, removing all intermediate agency in the choice of the president, I recommended some restrictions upon the re-eligibility of that officer, and upon the tenure of offices generally. The reason still exists; and I renew the recommendation, with an increased confidence that its adoption will strengthen those checks by which the constitution designed to secure the independence of each department of the government, and promote the healthful and equitable administration of all the trusts which it has created. The agent most likely to contravene this design of the constitution is the chief magistrate. In order, particularly, that his appointment may, as far as possible, be placed, beyond the reach of any improper influences; in order that he may approach the solemn responsibilities of the highest office in the gift of a free people, uncommitted to any other course than the strict line of constitutional duty; and that the securities for this independence may be rendered as strong as the nature of power, and the weakness of its possessor, will admit, I cannot too earnestly invite your attention to the propriety of proposing such amendment of the constitution as will render him ineligible after one term of service.

It gives me pleasure to announce to congress that the benevolent policy of the government, steadily pursued for nearly thirty years, in relation to the removal of the Indians beyond the white settlements, is approaching to a happy consummation. Two important tribes have accepted the provision made for their removal at the last session of congress; and it is believed that their example will induce the remaining tribes, also to seek the same obvious advantages.

The consequences of a speedy removal will be important to the United States, to individual states, and to the Indians themselves. The pecuniary advantages which it promises to the government are the least of its recommendations. It puts an end to all possible danger of collision between the authorities of the general and state governments, on account of the Indians. It will place a dense and civilized population in large tracts of country now occupied by a few savage hunters. By opening the whole territory between Tennessee on the north, and Louisiana on the south, to the settlement of the whites, it will incalculably strengthen the southwestern frontier, and render the adjacent states strong enough to repel future invasion without remote aid. It will relieve the whole state of Mississippi, and the western part of Alabama, of Indian occupancy, and enable those states to advance rapidly in population, wealth, and power. It will separate the Indians from immediate contact with settlements of whites; free them from the power of the states; enable them to pursue happiness in their own way, and under their own rude institutions; will retard the progress of decay, which is lessening their numbers; and perhaps cause them gradually, under the protection of the government, and through the influence of good counsels, to cast off their savage habits, and become an interesting, civilized and christian community. These consequences, some of them so certain, and the rest so probable, make the complete execution of the plan sanctioned by congress at their last session an object of much solicitude.

Toward the aborigines of the country no one can indulge a more friendly feeling than myself, or would go further in attempting to reclaim them from their wandering habits, and make them a happy and prosperous people. I have endeavored to impress upon them my own solemn convictions of the duties and powers of the general government in relation to the state authorities. For the justice of the laws passed by the states within the scope of their reserved powers, they are not responsible to this government. As individuals, we may entertain and express our opinions of their acts; but, as a government, we have as little right to control them as we have to prescribe laws to foreign nations.

With a full understanding of the subject, the Choctaw and Chickasaw tribes have, with great unanimity, determined to avail themselves of the liberal offers presented by the act of congress, and have agreed to remove beyond the Mississippi river. Treaties have been made with them, which, in due season, will be submitted for consideration. In negotiating these treaties, they were made to understand their true condition; and they have preferred maintaining their independence in the western forests to submitting to the laws of the states in which they now reside. These treaties being probably the last which will ever be made with them, are characterized by great liberality on the part of the government. They give the Indians a liberal sum in consideration of their removal, and comfortable subsistence on their arrival at their new homes. If it be their real interest to maintain a separate existence, they will therefore be at liberty to do so without the inconveniences and vexations to which they would unavoidably have been subject in Alabama and Mississippi.

Humanity has often wept over the fate of the aborigines of this country; and philanthropy has been long busily employed in devising means to avert it. But its progress has never for a moment been arrested; and one by one have many powerful tribes disappeared from the earth. To follow to the tomb, the last of his race, and to tread on the graves of extinct nations, excites melancholy reflections. But true philanthropy reconciles the mind to these vicissitudes, as it does to the extinction of one generation to make room for another. In the monuments and fortresses of an unknown people, spread over the extensive regions of the west, we behold the memorials of a once powerful race, which was exterminated, or has disappeared, to make room for the existing savage tribes. Nor is there any thing in this, which, upon a comprehensive view of the general interests of the human race, is to be regretted. Philanthropy could not wish to see this continent restored to the condition in which it was found by our forefathers. What good man would prefer a country covered with forests, and ranged by a few thousand savages, to our extensive republic, studded with cities, towns, and prosperous farms, embellished with all the improvements which art can devise, or industry execute; occupied by more than twelve millions of happy people, and filled with all the blessings of liberty, civilization, and religion!

The present policy of the government is but a continuation of the same progressive change, by a milder process. The tribes which occupied the countries now constituting the eastern states were annihilated, or have melted away to make room for the whites. The waves of population and civilization are rolling to the westward; and we now propose to acquire the countries occupied by the red men of the south and west, by a fair exchange, and, at the expense of the United States, to send them to a land where their existence may be prolonged, and perhaps made perpetual. Doubtless it will be painful to leave the graves of their fathers; but what do they more than our ancestors did, or than our children are now doing. To better their condition in an unknown land, our forefathers left all that was dear in earthly objects. Our children, by thousands, yearly leave the land of their birth, to seek new homes in distant regions. Does humanity weep at these painful separations from every thing animate and inanimate, with which the young heart has become entwined? Far from it. It is rather a source of joy that our country affords scope where our young population may range unconstrained in body or in mind, developing the power and faculties of man in their highest perfection. These remove hundreds, and almost thousands of miles, at their own expense, purchase the lands they occupy, and support themselves at their new home from the moment of their arrival. Can it be cruel in this government, when, by events which it cannot control, the Indian is made discontented in his ancient home, to purchase his lands, to give him a new and extensive territory, to pay the expense of his removal, and support him a year in his new abode? How many thousands of our own people would gladly embrace the opportunity of removing to the west on such conditions! If the offers made to the Indians were extended to them, they would be hailed with gratitude and joy.

And is it supposed that the wandering savage has a stronger attachment to his home, than the settled, civilized christian? Is it more afflicting to him to leave the graves of his fathers, than it is to our brothers and children? Rightly considered, the policy of the general government towards the red man is not only liberal but generous. He is unwilling to submit to the laws of the states, and mingle with their population. To save him from this alternative, or perhaps utter annihilation, the general government kindly offers him a new home, and proposes to pay the whole expense of his removal and settlement.

In the consummation of a policy originating at an early period, and steadily pursued by every administration within the present century—so just to the states, and so generous to the Indians, the executive feels it has a right to expect the co-operation of congress, and of all good and disinterested men. The states, moreover, have a right to demand it. It was substantially a part of the compact which made them members of our confederacy. With Georgia there is an express contract; with the new states, an implied one, of equal obligation. Why, in authorizing Ohio, Indiana, Illinois, Missouri, Mississippi, and Alabama, to form constitutions, and become separate states, did congress include within their limits extensive tracts of Indian lands, and, in some instances, powerful Indian tribes? Was it not understood by both parties that the power of the states was to be co-extensive with their limits, and that, with all convenient despatch, the general government should extinguish the Indian title, and remove every obstruction to the complete jurisdiction of the state governments over the soil? Probably not one of those states would have accepted a separate existence—certainly it would never have been granted by congress—had it been understood that they were to be confined forever to those small portions of their nominal territory, the Indian title to which had at the time been extinguished.

It is, therefore, a duty which this government owes to the new states, to extinguish, as soon as possible, the Indian title to all

lands which congress themselves have included within their limits. When this is done, the duties of the general government in relation to the states and Indians within their limits are at an end. The Indians may leave the state or not, as they choose. The purchase of their lands does not alter in the least, their personal relations with the state government. No act of the general government has ever been deemed necessary to give the states jurisdiction over the persons of the Indians. That they possess, by virtue of their sovereign power within their own limits, in as full a manner before as after the purchase of the Indian lands; nor can this government add to or diminish it.

May we not hope, therefore, that all good citizens, and none more zealously than those who think the Indians oppressed by subjection to the laws of the states, will unite in attempting to open the eyes of those children of the forest to their true condition, and, by a speedy removal, to relieve them from the evils, real or imaginary, present or prospective, with which they may be supposed to be threatened.

Among the numerous causes of congratulation, the condition of our impost revenue deserves special mention, inasmuch as it promises the means of extinguishing the public debt sooner than was anticipated, and furnishes a strong illustration of the practical effects of the present tariff upon our commercial interests.

The object of the tariff is objected to by some as unconstitutional; and it is considered by almost all as defective in many of its parts.

The power to impose duties on imports originally belonged to the several states. The right to adjust those duties with a view to the encouragement of domestic branches of industry is so completely incidental to that power, that it is difficult to suppose the existence of the one without the other. The states have delegated their whole authority over imports to the general government, without limitation or restriction, saving the very inconsiderable reservation relating to their inspection laws. This authority having thus entirely passed from the states, the right to exercise it for the purpose of protection does not exist in them; and, consequently, if it be not possessed by the general government, it must be extinct. Our political system would thus present the anomaly of a people stripped of the right to foster their own industry, and to counteract the most selfish and destructive policy which might be adopted by foreign nations. This surely cannot be the case: this indispensable power, thus surrendered by the states, must be within the scope of the authority on the subject expressly delegated to congress.

In this conclusion, I am confirmed as well by the opinions of presidents Washington, Jefferson, Madison, and Monroe, who have each repeatedly recommended the exercise of this right under the constitution, as by the uniform practice of congress, the continued acquiescence of the states, and the general understanding of the people.

The difficulties of a more expedient adjustment of the present tariff, although great, are far from being insurmountable. Some are unwilling to improve any of its parts, because they would destroy the whole: others fear to touch the objectionable parts, lest those they approve should be jeopardized. I am persuaded that the advocates of these conflicting views do injustice to the American people, and to their representatives. The general interest is the interest of each: and my confidence is entire, that, to ensure the adoption of such modifications of the tariff as the general interest requires, it is only necessary that that interest should be understood.

It is an infirmity of our nature to mingle our interests and prejudices with the operation of our reasoning powers, and attribute to the objects of our likes and dislikes qualities, they do not possess, and effects they cannot produce. The effects of the present tariff are doubtless overrated, both in its evils and in its advantages. By one class of reasoners, the reduced price of cotton and other agricultural products is ascribed wholly to its influence, and by another, the reduced price of manufactured articles. The probability is, that neither opinion approaches the truth, and that both are induced by that influence of interests and prejudices to which I have referred. The decrease of prices extends throughout the commercial world, embracing not only the raw material and the manufactured article, but provisions and lands. The cause must, therefore, be deeper and more pervading than the tariff of the United States. It may, in a measure, be attributable to the increased value of the precious metals, produced by a diminution of the supply, and an increase in the demand; while commerce has rapidly extended itself, and population has augmented. The supply of gold and silver, the general medium of exchange, has been greatly interrupted by civil convulsions in the countries from which they are principally drawn. A part of the effect, too, is doubtless owing to an increase of operatives and improvements in machinery. But, on the whole, it is questionable whether the reduction in the price of lands, produce, and manufactures, has been greater than the appreciation of the standard of value.

While the chief object of duties should be revenue, they may be so adjusted as to encourage manufactures. In this adjustment, however, it is the duty of the government to be guided by the general good. Objects of national importance, alone, ought to be protected; of these, the productions of our soil, our mines, and our workshops, essential to national defence, occupy the first rank. Whatever other species of domestic industry, having the importance to which I have referred, may be expected, after temporary protection, to compete with foreign labor on equal terms, merit the same attention in a subordinate degree.

The present tariff taxes some of the comforts of life unnecessarily high: it undertakes to protect interests too local and minute, to justify a general exaction; and it also attempts to force some kinds of manufactures for which the country is not ripe.—Much relief will be derived, in some of these respects, from the measures of your last session.

The best, as well as fairest mode of determining whether, from any just considerations, a particular interest ought to receive protection, would be to submit the question singly for deliberation. If, after due examination of its merits, unconnected with extraneous considerations—such as a desire to sustain a general system, or to purchase support for a different interest—it should enlist in its favor a majority of the representatives of the people, there can be little danger of wrong or injury in adjusting the tariff with reference to its protective effect. If this obviously just principle were honestly adhered to, the branches of industry which deserve protection, would be saved from the prejudice excited against them, when that protection forms part of a system by which portions of the country feel, or conceive themselves to be oppressed. What is incalculably more important, the vital principle of our system—that principle which requires acquiescence in the will of the majority—would be secure from the discredit and danger to which it is exposed by the acts of majorities, founded, not on a unity of conviction but on combinations of small minorities, entered into for the purpose of mutual assistance in measures which, resting solely on their own merits, could never be carried.

I am well aware, that this is a subject of so much delicacy, on account of the extended interests it involves, as to require that it should be touched with the utmost caution; and that, while an abandonment of the policy in which it originated—a policy coeval with our government, and pursued through successive administrations, is neither to be expected or desired, the people have a right to demand, and have demanded, that it be so modified as to correct abuses and obviate injustice.

That our deliberations on this interesting subject should be uninfluenced by those partizan conflicts that are incident to free institutions, is the fervent wish of my heart. To make this great question, which unhappily so much divides and excites the public mind, subservient to the short-sighted views of faction, must destroy all hope of settling it satisfactorily to the great body of the people, and for the general interest. I cannot, therefore, on taking leave of the subject, too earnestly for my own feelings or the common good, warn you against the blighting consequences of such a course.

According to the estimates at the treasury department the receipts in the treasury during the present year will amount to twenty-four millions one hundred and sixty-one thousand and eighteen dollars, which will exceed by about three hundred thousand dollars the estimate presented in the last annual report of the secretary of the treasury.—The total expenditure during the year, exclusive of public debt, is estimated at thirteen millions seven hundred and forty two thousand three hundred and eleven dollars; and the payment on account of public debt for the same period will have been eleven millions three hundred and fifty-four thousand six hundred and thirty dollars; leaving a balance in the treasury, on the first of January, 1831, of four millions eight hundred and nineteen thousand seven hundred and eighty-one dollars.

In connexion with the condition of our finances, it affords me pleasure to remark that judicious and efficient arrangements have been made by the treasury department for securing the pecuniary responsibility of the public officers, and the more punctual payment of the public dues. The revenue cutter service has been organized, and placed on a good footing; and, aided by an increase of inspectors at exposed points, and the regulations adopted under the act of May, 1830, for the inspection and appraisement of merchandise, have produced much improvement in the execution of the laws, and more security against the commission of frauds upon the revenue. Abuses in the allowances for fishing bounties have also been corrected, and a material saving in that branch of the service thereby effected. In addition to these improvements, the system of expenditure for sick seamen belonging to the merchant service has been revised; and, by being rendered uniform and economical, the benefits of the fund applicable to this object have been usefully extended.

The prosperity of our country is also further evinced by the increased revenue arising from the sale of public lands, as will appear from the report of the commissioner of the general land office, and the documents accompanying it, which are herewith transmitted. I beg leave to draw your attention to this report, and to the propriety of making early appropriations for the objects which it specifies.

Your attention is again invited to the subjects connected with that portion of the public interests entrusted to the war department. Some of them were referred to in my former message; and they are presented in detail in the report of the secretary of war, herewith submitted. I refer you, also to the report of that officer for a knowledge of the state of the army, fortifications, arsenals, and Indian affairs; all of which, it will be perceived, have been guarded with zealous attention and care.

It is worthy of your consideration whether the armaments necessary for the fortifications on our maritime frontier, which are now, or shortly will be, completed, should not be in readiness sooner than customary appropriations will enable the department to provide them. This precaution seems to be due to the general system of fortification which has been sanctioned by congress, and is recommended by that maxim of wisdom which tells us in peace to prepare for war.

I refer you to the report of the secretary of the navy for a highly satisfactory account of the manner in which the concerns of that department have been conducted during the present year. Our position in relation to the most powerful nations of the earth, and the present condition of Europe, admonish us to cherish this arm of our national defence with peculiar care. Separated by wide seas from all those governments whose power we might have reason to dread, we have nothing to apprehend from attempts at conquest. It is chiefly attacks upon our com-

merce, and harassing inroads upon our coast, against which we have to guard. A naval force adequate to the protection of our commerce, always afloat, with an accumulation of the means to give it a rapid extension in case of need, furnishes the power by which all such aggressions may be prevented or repelled. The attention of the government has, therefore, been recently directed more to preserving the public vessels already built, and providing what shall be in place in depot for future use, than to increasing their number. With the aid of congress, in a few years, the government will be prepared, in case of emergency, to put afloat a powerful navy of new ships almost as soon as old ones could be repaired.

The modifications in this part of the service suggested in my last annual message, which are noticed more in detail in the report of the secretary of the navy, are again recommended to your serious attention.

The report of the postmaster general, in like manner, exhibits a satisfactory view of the important branch of the government under his charge.—In addition to the benefits already secured by the operations of the post office department, considerable improvements, within the present year, have been made, by an increase in the accommodation afforded by stage coaches, and in the frequency and celerity of the mail between some of the most important points of the union.

Under the late contracts, improvements have been provided for the southern section of the country, and, at the same time, an annual saving made of upwards of seventy-two thousand dollars. Notwithstanding the excess of expenditure beyond the current receipts for a few years past, necessarily incurred in the fulfilment of existing contracts, and in the additional expenses, between the periods of contracting, to meet the demands created by the rapid growth and extension of our flourishing country, yet the satisfactory assurance is given, that the future revenue of the department will be sufficient to meet its extensive engagements. The system recently introduced, that subjects its receipts and disbursements to strict regulation, has entirely fulfilled its design. It gives full assurance of the punctual transmission, as well as the security, of the funds of the department. The efficiency and industry of its officers, and the ability and energy of contractors, justify an increased confidence in its continued prosperity.

The attention of congress was called, on a former occasion, to the necessity of such a modification of the office of attorney general of the United States as would render it more adequate to the wants of the public service. This resulted in the establishment of the office of solicitor of the treasury; and the earliest measures were taken to give effect to the provisions of the law which authorized the appointment of that officer, and defined his duties. But it is not believed that this provision, however useful in itself, is calculated to supersede the necessity of extending the duties and powers of the attorney general's office. On the contrary, I am convinced that the public interest would be greatly promoted by giving to that officer the general superintendence of the various law agents of the government, and of all law proceedings, whether civil or criminal, in which the United States may be interested; allowing to him, at the same time, such a compensation as would enable him to devote his undivided attention to the public business. I think such a provision is alike due to the public and to the officer.

Occasions of reference from the different executive departments to the attorney general are of frequent occurrence; and the prompt decision of the questions so referred, tends much to facilitate the despatch of business in those departments. The report of the secretary of the treasury, hereto appended, shows also a branch of the public service not specifically entrusted to any officer, which might be advantageously committed to the attorney general.

But, independently of those considerations this office is now one of daily duty. It was originally organized, and its compensation fixed, with a view to occasional service; leaving to the incumbent time for the exercise of his profession in private practice. The state of things which warranted such an organization no longer exists. The frequent claims upon the services of this officer would render his absence from the seat of government, in professional attendance upon the courts, injurious to the public service; and the interests of the government could not fail to be promoted by charging him with the general superintendence of all its legal concerns.

Under a strong conviction of the justness of these suggestions, I recommend it to congress, to make the necessary provisions for giving effect to them, and to place the attorney general, in regard to compensation, on the same footing with the heads of the several executive departments. To this officer might also be intrusted a cognizance of the cases of insolvency in public debtors, especially if the views which I submitted on this subject last year should meet the approbation of congress—to which I again solicit your attention.

Your attention is respectfully invited to the situation of the District of Columbia. Placed, by the constitution, under the exclusive jurisdiction and control of congress, this district is certainly entitled to a much greater share of its consideration than it has yet received. There is a want of uniformity in its laws, particularly in those of a penal character, which increases the expense of their administration, and subjects the people to all the inconveniences which result from the operation of different codes in so small a territory. On different sides of the Potomac, the same offence is punishable in unequal degrees; and the peculiarities of many of the early laws of Maryland and Virginia remain in force, notwithstanding their repugnance, in some cases, to the improvements which have superseded them in those states.

Besides a remedy for these evils, which is loudly called for, it is respectfully submitted whether a provision, authorizing the election of a delegate to represent the wants of the citizens of this district on the floor of congress is not due to them, and to the character of our government. No portion of our citizens should be without a practical enjoyment of the principles of freedom; and there is none more important than that which cultivates a proper relation between the governors and the governed. Imperfect as this must be in this case, yet it is believed that it would be greatly improved by a representation in congress, with the same privileges that are allowed to that of the other territories of the United States.

The penitentiary is ready for the reception of convicts, and only awaits the necessary legislation to put it into operation; as one object of which I beg leave to recall to your attention the propriety of providing suitable compensation for the officers charged with its inspection.

The importance of the principles involved in the inquiry, whether it will be proper to re-charter the bank of the United States, requires that I should again call the attention of congress to the subject. Nothing has occurred to lessen, in any degree, the dangers which many of our citizens apprehend from that institution, as at present organized. In the spirit of improvement and compromise which distinguishes our country and its institutions, it becomes us to enquire whether it be not possible to secure the advantages afforded by the present bank through the agency of a bank of the United States so modified in its principles and structure as to obviate constitutional and other objections.

It is thought practicable to organize such a bank, with the necessary officers, as a branch of the treasury department, based on the public and individual deposites, without power to make loans or purchase property, which shall remit the funds of the government, and the expenses of which may be paid, if thought advisable, by allowing its officers to sell bills of exchange to private individuals at a moderate premium. Not being a corporate body, having no stockholders, debtors, or property, and but few officers, it would not be obnoxious to the constitutional objections which are urged against the present bank; and having no means to operate on the hopes, fears, or interests of large masses of the community, it would be shorn of the influence which makes that bank formidable. The states would be strengthened by having in their hands the means of furnishing the local paper currency through their own banks; while the bank of the United States, though issuing no paper, would check the issues of the state banks, by taking their notes in deposite, and for exchange, only so long as they continue to be redeemed with specie. In times of public emergency, the capacities of such an institution might be enlarged by legislative provisions.

These suggestions are made, not so much as a recommendation, as with a view of calling the attention of congress to the possible modifications of a system which cannot continue to exist in its present form without occasional collisions with the local authorities, and perpetual apprehensions and discontent on the part of the states and the people.

In conclusion, fellow-citizens, allow me to invoke, in behalf of your deliberations, that spirit of conciliation and disinterestedness which is the gift of patriotism. Under an overruling and merciful Providence, the agency of this spirit has thus far been signalized in the prosperity and glory of our beloved country. May its influence be eternal. ANDREW JACKSON.

Wednesday, Dec. 8. As the *speaker* was not yet prepared to appoint the several standing committees, but intimated an ability to do it speedily, when apprized of the names of the members present, the house adjourned after a very short sitting.

Thursday, Dec. 9. The president's message was referred to the several standing committees, or to select committees as usual. Considerable discussion took place on the proposed reference of that part of the message which related to the bank of the U. States to the committee of ways and means, under a suggestion that, unless the members of that committee should be materially changed, it stood as committed, by its report last session, against the recommendations of the president, in his former message. Mr. *Wayne* moved that this part should be referred to a select committee—but the house, by yeas and nays—67 for and 108 against the proposition, decided that it should go to the committee of ways and means. This vote appears to be decisive, as to the resolution of the house, against the principles suggested by the president, in relation to the bank and banking

MR. MADISON'S PAMPHLET.

In the REGISTER of the 11th ult. page 193, we copied a paragraph from the Boston Patriot, saying, that a pamphlet now existed, stated by Mr. Jefferson to have been written by James Madison (though published anonymously), in which it is mentioned that "*the leading object of the federal convention of 1787, for framing a constitution, to have been, to* PROTECT *our own industry by commercial regulations, countervailing European regulations*"—adding, that Mr. Madison, himself, gave to a gentleman a copy of that pamphlet, as his own production.

The gentleman who communicated the fact to the editors of the "Boston Patriot," has been so kind as to in-

form us, that the pamphlet is entitled "Political Considerations," &c. and was written in 1795, just after the close of the session of congress in which he offered his famous resolutions,—referred to in the REGISTER of the 20th ult. which we said "*covered the whole ground of the American System*" as they certainly do.

The pamphlet is in Mr. Jefferson's portion of the congressional library, and, in his own hand writing, designated as the production of Mr. Madison.

Our friend says—

"I send you the following extracts from it, [the pamphlet], which are at once a valuable and authentic, though brief, sketch of the origin of the present constitution, and a proof that the commercial power granted in it is not, as our profound new-lights contend, a *mere revenue* power, but a great national weapon for protecting our domestic interests against foreign interests—and that this was not simply *a* leading, but *the* leading object of the new powers of the constitution. This, it is true, was well known before, by those who had candidly looked into the subject historically; but it is useful to give distinct and unquestionable authority for so important a principle. If the Carolina Hotspurs should so far triumph over the good sense of the republic as to succeed in *nullifying* this main-spring of our glorious constitution, they might well boast, if not of *their* patriotism, at least of their prowess. The rest of the shattered instrument would fall an easy prey; and we should once more be blest with the days of the old confederation, and of national imbecility.

"*But this will not be.* Heaven will not suffer *Cooper* and —— to undo, what *Washington* and *Franklin*, *Madison* and *Hamilton*, did for their country; and for doing which, these worthies and their co-patriots have enjoyed the grateful plaudits of forty years of our happy republic, and will enjoy those of centuries to come, unmarred by even the recollection of the small efforts of the present day to undermine their great work.

"The italicising is my own, for the purpose of noting the most pregnant passages.

"It will be futile to say, that we have here no recognition of the *specific* power to protect manufactures. We have a distinct recognition of the *general* power to protect our own industry. It matters not whether that industry be manufacturing, farming, trading, or navigating. If we may constitutionally protect one branch, we may all."

Extracts from Mr. Madison's pamphlet—1795.

"It is well known, that at the peace between the United States and Great Britain, it became a question with the latter, whether she should endeavor to regain the lost commerce of America, by liberal and reciprocal arrangements; or trust to a relapse of it, into its former channels, without the price of such arrangements on her part. Whilst she was fearful that our commerce would be conducted into new and rival channels, she leaned to the first side of the alternative, and a bill was actually carried in the house of commons, by the present prime minister, corresponding with that sentiment. She soon, however, began to discover (or to hope) that the weakness of our federal government, and the want of concurrence among the state governments, would secure her against the danger first apprehended. From that moment all ideas of conciliation and concession vanished. She determined to enjoy at once the full benefit of the freedom allowed by our regulations, and of the monopolies established by her own.

"In this state of things, the pride, as well as the interest of America, were every where aroused. The mercantile world in particular, was all on fire; complaints flew from one end of the continent to the other; projects of retaliation and redress, engrossed the public attention. At one time, the states endeavored, by separate efforts, to counteract the unequal laws of Great Britain. At another, correspondences were opened for uniting their efforts. An attempt was also made, to vest in the former congress, a limited power for a limited time, in order to give effect to the general will.

"All these experiments, instead of answering the purpose in view, served only to confirm Great Britain in her first belief, that her restrictive plans were in no danger of retaliation.

"It was at length determined by the legislature of Virginia to go to work in a new way. It was proposed, and most of the states agreed, to send commissioners to digest some change in our general system, that might prove an effectual remedy. The commissioners met; but finding their powers too circumscribed for the great object, which expanded itself before them, they proposed a convention on a more enlarged plan, for a general revision of the federal government.

"From this convention proceeded the present federal constitution, which gives to the *general will*, the means of providing in the several necessary cases, for the general welfare; and *particularly in the case of regulating our commerce in such manner as may be required by the regulations of other countries.*

"It was natural to expect, that one of the first objects of deliberation under the new constitution, would be that which had been first and most contemplated in forming it. Accordingly it was at the first session proposed, that something should be done analagous to the wishes of the several states, and expressive of the efficiency of the new government. A discrimination between nations in treaty, and those not in treaty, the mode most generally embraced by the states, was agreed to in several forms, and adhered to in repeated votes, by a very great majority of the house of representatives. The senate, however, did not concur with the house of representatives, and our commercial arrangements were made up without any provision on the subject."

[Mr. Madison then, after naming the commercial regulations of Great Britain, her retention of the western posts and the consequent Indian wars, her depredations on our lawful commerce, and her probable connivance at the Algerine piracies, as distressing evils at that time suffered by us from Great Britain, states that his commercial propositions of 1794 were introduced, as a safe but powerful remedy applied to the root of these evils. In speaking of the objections made to them, he has the following paragraph.]

"Nay, what is still more extraordinary, it was maintained that the United States had, on the whole, little or no reason to complain of the footing of their commerce with Great Britain; although such complaints had prevailed in every state, among every class of citizens, ever since the year 1783; and although *the federal constitution* HAD ORIGINATED *in those complaints, and had been established with the known view of redressing them.*"

[Again he says:]

"Had the present federal government, on its first establishment, done what it ought to have done, *what it was instituted for*, and expected to do, and what was actually proposed and intended it should do; had it revived and confirmed the belief in Great Britain, that our trade and navigation would not be free to her without an equal and reciprocal freedom to us, in her trade and navigation, we have her own authority for saying, that she would long since have met us on proper grounds."

GEORGIA AND THE INDIANS.

Executive department, Milledgeville, Nov. 20.

I transmit to both houses of the general assembly, copies of a communication received from the war department, in answer to a letter requesting of the president the withdrawal of the United States troops from the territory of the state, occupied by the Cherokees.—The legislature will perceive in the conduct of the president in this matter, as well as all others, the disposition to accord to Georgia all her rights. The removal of the United States troops from the territory occupied by the Cherokees, creates an immediate and pressing necessity for the passage of such laws as may effectually restrain all persons from entering into that territory, for the purpose of taking possession of the public lands, or the taking valuable minerals therefrom, without license from the state. GEORGE R. GILMER.

Executive department, Milledgeville, Oct. 29, 1830.

SIR: By an act of the legislature of Georgia, passed at its last session, all the Cherokee territory and the persons occupying it, were subjected to the ordinary jurisdiction of the state, after the 1st of June, then next ensuing. This act has gone into operation. The ac-

knowledgment of the president of the right of the state to pass such an act, renders it unnecessary to say any thing in its justification. The object of this letter is to request the president that the United States troops may be withdrawn from the Indian territory within Georgia. The enforcement of the non-intercourse law within the limits of the state, is considered inconsistent with the rights of jurisdiction which is now exercised by its authorities, and must, if continued, lead to difficulties between the officers of the United States and state governments, which it is very desirable should be avoided. No doubt is entertained that the object of the president in ordering the United States troops into the Cherokee territory, was the preservation of the peace of the union. The motive is duly appreciated. The legislature is now in session. The special object of its meeting is the enforcement of the laws of the state within the Cherokee country, and the punishment of intrusion into it by persons searching for gold. Its powers are amply sufficient for that purpose. As it is expected that the law for the punishment of tresspassers upon the public lands will go into operation within a few days, the president is therefore requested to withdraw the troops as soon as it can be conveniently done. The conduct of major Wager has been very severe to the gold diggers. In some instances unoffending citizens have been made the subject of punishment, in violation of their rights, and the authority of the state. Complaints have been made to this department, and redress asked for. The removal of the troops is believed to be the most effectual means of preventing the repetition of such injuries. Information has also been received at this department, that the digging for gold is still carried on in various parts of the Cherokee territory, and that the extent of country containing mines is so great, that it is wholly impossible to prevent it by the use of the military alone. It is said that the Indians are even more extensively employed in taking gold than before the arrival of the troops. The fear of the whites had restrained them previously.

The president is assured that whatever measures may be adopted by the state of Georgia in relation to the Cherokees, the strongest desire will be felt to make them accord with the policy which has been adopted by the present administration of the general government.

Very respectfully, &c. GEORGE R. GILMER.

To the president of the United States.

War department, Washington, Nov. 10, 1830.

SIR: The president has referred to this department your letter of 29th of last month, advising him that the act of the legislature of Georgia, passed at its last session subjecting all the Cherokee territory and the persons occupying it to the ordinary jurisdiction of the state, has gone into operation; and in reply I have the honor to inform you that previously to the receipt of your letter an order was issued to major Wager, a copy of which, for your information and satisfaction, is here enclosed.—By it you will perceive he is instructed, as the winter is approaching, to retire with his troops into winter quarters. It is expected that the emergency which induced the troops to enter the Indian country has ceased.

Your excellency entertains a just view of the motives which led to the ordering the troops into the Cherokee territory, as expressed in your communication. It is much to be regretted that in the execution of his orders, the commanding officer should have found himself constrained to resort to measures which may have operated hardly upon some individuals.

The president is happy in the assurance which your excellency is pleased to give, that the measures which the state of Georgia may adopt in relation to the Cherokees, will accord with the policy which has been adopted by the general government. Very respectfully, &c.

JNO. H. EATON.

His excellency G. R. Gilmer.

Head quarters of the army,
Washington 8th of Nov. 1830.

To brevet major P. Wager, 4th regt infantry, commanding troops in the Cherokee nation:

SIR: The purposes for which the troops were ordered into the Cherokee nation having in a great measure been answered, the secretary of war deems it advisable, upon the approach of winter, that you retire to some position where the troops can be comfortably accommodated, and where they will be in striking distance to meet any contingency that may arise out of our Indian relations, which cannot at this time be perceived. It is hoped, however, that no circumstance will occur which will render it necessary again to employ the troops among the Cherokees, *particularly as the legislature of Georgia, now in session, will doubtless take the proper and necessary steps to preserve tranquility along the Indian border.* You will therefore, with the detachment of the 4th regiment of the infantry, retire upon fort Mitchell. The artillery with the exception of captain Barden's company, now at fort Mitchell, will retire to their respective stations, viz: the men belonging to lieut. col. Fannin's company to Augusta arsenal; captain Legate's company to Charleston; and captain Taylor's company to Savannah.

I have the honor to be, &c. &c.

A. MACOMB.

Major general commanding the army.

FROM THE AUGUSTA COURIER.

Extract of a letter from our correspondent.

"Milledgeville, Nov. 21.

"The bill reported by the committee on the state of the republic, providing for a partial survey of the Indian lands, for the purpose of more effectually enforcing our laws in that country, and of ascertaining the location of the mines, &c. came up in the house on Wednesday last, and was forced to give way to a substitute offered by Mr. Haynes of Hancock. This substitute was accepted in lieu of the original by a majority of 10, and provides for an immediate survey of the whole territory into square lots of 160 acres, and for the disposition of them by *lottery* as soon as it can be surveyed. No respect is paid to the Indian title, except so far as to permit them to keep possession of the lots of which they may severally be in the actual occupancy. And those persons who may draw these lots are prohibited from going into possession of them, until the Indians shall *voluntarily* surrender them to the persons in remainder, having the fee simple title from the state.—Every body can at once see that this is, in fact, reserving no rights to the Indians, in which they can, or will, be protected. Those persons, or many of them, who may draw these lots in the possession of the Indians, will soon find some way to make the Indians relinquish their right. This course, I myself view as really more disgraceful than to drive the Indians off at once, without pretending to respect their rights, for the present course is, in reality, a mere pretence, a shadow without a substance. The bill will come up in the house again some day this week, when an effort will be made to reinstate the original bill; and my faith in the justice and the magnanmity of the majority is so strong, that I hope and believe it will succeed. If, however, the attempt should fail, and the present bill should pass the house, there is yet a redeeming spirit in the senate, and there the honor, the interest, and the faith of the state may and will be preserved."

MR. RUSH'S LETTER.

FROM THE YORK REPUBLICAN.

Providence, October 30th, 1830.

RICHARD RUSH, esq.

Dear sir—The subscribers are commanders and prineipal owners of a line of packets between Providence, Rhode Island, and Philadelphia. Sixteen years, last April, one of us commenced in the business, with a sloop of 37 tons, occupying, on an average, full two months in making the trip both ways, with frequently much difficulty in procuring freight, particularly on the return voyage. It has, however, been gradually increasing, and now there are six schooners, averaging 70 tons; the arrangements of which are, to depart once a week from each port, and with abundant freight both ways for their full employment. It would be reasonable, we think, to

estimate the property that is interchanged as exceeding $1,500,000, annually. This arises much from the rapid advances which American manufactures have made in Rhode Island and its vicinity; and the great developement of the mineral and agricultural products of your native state. The present favorable situation of the coasting and internal trade of the country, we consider, has been greatly promoted by the efforts of yourself and your colleagues, while in office, and peculiarly so, while you were at the head of the treasury department.

Approving, as we do, of your public services, we take pleasure in notifying you of it now, in your retirement; and, having recently added a new vessel to our line, we have given her the name of the "Richard Rush."

Assuring you of our individual regard and esteem, we remain,

Your friends and servants,

R. FARNUM,
A. HALL,
J. H. LANGLEYES,
H. KILLY,
EDWARD HALL.

—

YORK, PENN. *November 27th*, 1830.

Gentlemen—I received, last week, your letter of the 30th of October, in which you inform me that you are the commanders and principal owners of a line of packets between Providence, Rhode Island, and Philadelphia; that, sixteen years ago, one of you commenced the establishment with a sloop of 37 tons burden, which occupied two months, on an average, in making the trip; and that, even that single vessel had often much difficulty in procuring freight; that now, the line has increased to six schooners, averaging seventy tons each, whose arrangements are, to depart once a week for each port; that they have abundance of freight, both ways, for their full employment, and that it would not, in your opinion, be an unreasonable estimate of the property interchanged, to say, that it exceeds one million five hundred thousand dollars annually. After stating these facts, you add your belief, that the increase of the trade has arisen from the rapid advancement which American manufactures have made in Rhode Island and its vicinity, and the great developement of the mineral and agricultural products of this, my native state. You also are pleased to intimate, that, in your opinion, the present favorable situation of the coasting and internal trade of the country, has been greatly promoted by the policy and measures pursued by myself, and those with whom I was associated, in the management of our public affairs, particularly whilst I was at the head of the treasury; and that you have marked your approbation of that policy, by giving my name to one of your vessels.

Of the measures in question, I was, it is true, the decided and zealous advocate; but in ways, far less prominent, and at dates much less early, than others with whom I acted. Nevertheless, for your approbation of the share I had in them, spontaneously offered by you as it has been, and coming to me here unexpectedly as it does, where I have neither power nor patronage, nor desire for either, I am thankful; offered in kindness, it is gratefully received. A testimonial, so wholly unsolicited and unbought, is the more grateful, from the undoubted friendliness of its motive, as well as far the more valuable, from the character of the public feeling in which it originates. Speaking of the measures, as of those of others which I merely seconded and approved, I will say of them, that every year will bring fresh proofs of their wisdom. It is the wisdom of time and experience. What are countries merely agricultural, but poverty-stricken? If we want to see the greatest sum of riches, and power, and intelligence, in nations, we must go

to those where manufactures are carried on, largely and effectually, in conjunction with agriculture and commerce; and where they have been encouraged by the laws, not neglected. We must go to France, to England, to the Netherlands, to Holland, to the best parts of Germany, the most enlightened and freest parts, not to Poland or the Cape of Good Hope. What a fact does your letter announce? The tonnage of a line of packets, between Providence and Philadelphia, increased nearly twelve hundred per cent. in sixteen years! Let this fact be promulgated. It is better for our side than abstract disquisitions on the other from Mr. Huskisson, or from whomsoever they may come. And what is this trade, that, in its regular progress, has called for such an increase of tonnage to carry it from port to port? I answer, the best of all trades, because consisting of wealth, created as well as diffused; and because its profits all centre at home. You ascribe the increase, in part, to the great developement of the agricultural and mineral products of this state. You are right:—And in this lies the paramount excellence of manufacturing industry; for when, but by a flourishing state of manufactures, as one of the causes, have we ever seen the agricultural products of any country, or the mineral products, where nature has given the latter, fully, steadily and permanently developed? It would be to look for an effect without its cause. What has made a garden of Belgium, but the industry of her manufacturers in her numerous towns, where the country produce always finds a ready and good sale. What heaps up the agricultural products of France, of Holland, of northern Italy, of England, of all the countries of Europe that are the most powerful, if large ones, or the most prosperous, if small, but the regular demand for those products by the other productive and consuming classes that live in them; of which the manufacturing class is, and always will be, the most important? But for the manufactures of Rhode Island, and elsewhere among ourselves, that have arisen within the last few years, what would have become of the products of the earth from this state, of which you speak? They would have remained hidden in the earth. What European nation would have taken them? Not one. Our manufactures have increased the demand for the cotton of the south in the same fair proportion, as well as the coasting tonnage necessary to carry it from the places of its growth to the places where it is worked up. The demands of foreign commerce may, for a season, strain up the price and the quantity of agricultural products; but the nation that trusts to this as the only vent for them, is undone, or will have but a short-lived existence, or must be content with an humble rank in the world. The race of permanent opulence and renown, of commanding influence, of stable revenues, of steady and successful commerce, at home and abroad, of high civilization, and even of durable freedom, is not the race that such a nation will ever run. No artizans, like those of Paris, will stand out in its annals, remarkable, one day, for the diversified labors with which they can enrich and adorn a magnificent metropolis, the next, for the sublime patriotism and invincible courage with which they can drive a tyrant from his throne.

I have mentioned Mr. Huskisson—let me not do so with injustice—still less, with what may look like a sneer. His character is not the subject of it, however frankly I may deal with some of his opinions. His lamentable death is still upon our hearts; and to me it has happened, to have known his eminent private, as all knew his great public, value. Had he lived here, he would have been with us; I am sure he would on the doctrines of the tariff. The proof is decisive. His mind was as practical as its range was wide and clear, on all subjects that he examined. Like his illustrious friend, the last great commoner

who rose to the premiership, he looked, whatever his plans, to the power and glory of England. They each nobly looked to this end, and each in his own way. Canning, to her political glory, to her treaties, to her alliances, to her foreign policy; his eloquence and his state papers, keeping within these orbits:—Huskisson, to her commercial glory, to her shipping, her manufactures, to all her trade, in detail, to her finances. Each had master minds and they worked together, the aggrandizement of their country the bond of their affection. The latter, whilst he saw every thing upon the largest scale, could work in his details too with consummate skill. No complications, but he could disentangle; no tables of figures, but he could set in order; no results that he could not render specious, if not make alluring. Grant him but his premises, which all had not the ability, and scarcely any the patience, to scrutinize, and his conclusions followed of course. He tried to persuade them, in France, that their abundant prosperity would become more abundant, if they would but give up their doctrine of protecting manufactures by the laws. It was a prejudice of other days; they ought to renounce it; they ought to admit British manufactures under low duties, or perhaps no duties at all; so Adam Smith thought all nations had better do; the English would then repeal their duties on French manufactures. By this policy, alone worthy of enlightened and great nations, who saw their true interest, the industry of both France and England would wonderfully shoot ahead. No longer would it be trammelled by the clogs of legislators; no longer be ruined by the nostrums of political doctors. But the French were unmoved. In the midst of all his positions and illustrations, of his expanded views and his generous lectures, they remained unmoved. Whether it was their jealousy of their own manufactures that took the alarm, their blindness that could not see, their volatility that would not listen, or what, but no impression could he make upon them. They went on the old way, and back he went to old England. But, patriot-like, nothing discouraged; a new hope started to his mind. We, of this hemisphere, were under different circumstances, and to work he went in the task of schooling us. It was foolish in *us* to be running into this exploded error about trade, because we were a young nation. It had been time for France to abjure it, because she was an old nation. *We* were fools for adopting it, because we had plenty of land yet to settle, and but little capital; because our population was thin, and labor dear. The French were fools for adhering to it, because, there, capital had long been accumulated, and skill acquired; they were a refined nation, a nation of the arts, where population was thick and labor cheap. So, we were young fools and old fools together. The keen opticks of the Englishman, pointing his home telescope both ways, first across the channel and then across the Atlantic, saw, by the magical working of its British glasses, the two nations exactly in the same lights. Each fitted, to a hair, all his new projects of repeal and enactment! They were to be submitted to parliament, in his triple capacity of member for Liverpool, president of the board of trade, and enlightened advocate of free trade for all the world, upon equal terms.

But, what said he of Britain all this while? of Britain, filled with her forges and looms, her steam-power, her collieries, her blast furnaces, glaring, as with beacon fires, over whole divisions of her island; of Britain, pointing to her Manchesters, her Sheffields, her Birminghams, her Congletons, her Woolverhamptons, and her hundred other towns, all connected with each other, and with her seaports, by superb artificial ways of water or land, where natural ones failed; of Britain, confident at all points in her manufacturing superlority, and in her towering manufacturing strength; of Britain, the sons of whose very manufacturers, class with the nobles of her land; who are receiving at their Ludworth castles the royal fugitives of France, and sheltering them with a princely munificence; of this Britain what did he say? Why, let us see: it may give us instruction: to some it may be new, by others forgotten. Here it is: He said, that he was not *afraid* to recommend, (his very word), the proposed reduction of duties on foreign manufactures coming into England, as an inducement to other nations to lessen their's on British manufactures going abroad, well knowing that, besides the monopoly, almost total, which British manufactures enjoyed at home, immense as it was, they were sent, at the very moment he was speaking, "*in a proportion far exceeding the supply from any other country*, TO THE GENERAL MARKETS OF THE WORLD." Very like *our* condition, indeed! I quote from his great speech of 1825, in which he first laid down his doctrines of free trade; not a newspaper report of it, but one believed to have been corrected by himself. I need no stronger proof, though I think there is enough besides, that, had Mr. Huskisson filled our treasury, instead of presiding over the English board of trade, been in congress, instead of parliament, adapting himself to the maxims of a different sphere, he would have been the constant advocate of the laws in favor of manufactures. His strong mind would never have doubted their constitutionality, any more than our illustrious Madison's. He would have pleaded their cause as necessary to the getting rid of the prejudices of other days, indeed, but of none other than our colonial days; as necessary towards enlarging the demand for our products, grown slack after the peace of Europe; to the more sure as well as comprehensive operations, bye and bye, of our foreign commerce, by diversifying as well as multiplying its objects; to the ultimate stability of our finances, in danger, on the first political storm, of being shattered to pieces, whilst depending upon nothing but duties upon imported goods, and those chiefly British, for keeping them whole. After this fashion would he have pleaded, I have no doubt, though far better. He would have added, that those laws were necessary for putting us upon something like a par, *during the first age*, at least, with nations having the start of us, by ages, in the race of manufactures; and who began their race, every one of them, and most of them keeping it up, under the strongest protection of laws. Finally, he would have pleaded for them, as necessary towards improving the full advantages of a coasting trade, that nature had laid out for us, of boundless extent and inexhaustible promise. I am not sure that his patriotism could have hoped for, or his foresight have predicted, the increase, under the last head, of which your letter gives an account. At the increase, he would not have the less rejoiced, as disclosing, besides all other benefits, one of the firm supports of our future naval power.

So far, Mr. Huskisson. How did he strive, how anxiously, how laboriously, to draw out the resources and exalt the grandeur of his own country. Honor for all his opinions, since to these great ends they were all directed. Of public works, belonging to the internal improvement of England, upon the broadest scale, he was always the powerful and zealous champion. Multiplied in number, stupendous in construction, as are already such works there, he stopped not. By more common minds it might have been thought, that the measure of England's wants, in that great department, was completely filled up, and that she ought to pause under the magnitude of her past expenditure. Not so, his. Yet, he was strictly an economist. Often he checked useless expenditure. He applied the hand of reform to useless offices. He struck with keen and patient

diligence, from the statute-book, a thousand useless statutes about trade, all of them an incumbrance upon trade, and some of them still bringing charges upon the revenue. But well-considered public works, he viewed as investments for the nation, soon to yield a ten-fold increase. Therefore, with a wise forecast, and an elevated conception of his public duties, would he expend money, and liberally, upon such works. Some minds cannot see even what is all around them. His saw not only present objects, but saw into futurity. It was one of his opinions, that England was but beginning her career of opulence and power. Of that great enterprise, the Liverpool and Manchester rail-road, soon to prove as useful as it is magnificent, he was among the earliest and most confident advisers. Alas! that he should have been the first to perish there!—the scene of his death, and the theatre of his triumph.

I am writing a long letter. It is longer by far than I would have written only a very few weeks ago. Then, I should in all probability, have contented myself with a simple and private acknowledgment of yours. But now I make it the occasion of something more. It has reached me at a season when we are on the brink, as I believe, of new and difficult times. This imbues with an interest, greatly augmented, the information you have imparted; and thence it is, that I have felt impelled to a more full answer. I believe a general war in Europe to be at hand. I have believed so, since we first knew of the three days fighting in Paris, and their results. Those three days are to throw a new element into the political world, of ultimate good I do not doubt, but of portentous aspect now. The principle of monarchy is not dead. It will, at its own time, put itself against the principle of that memorable fight, the recognition of the new king of the French, side by side with our illustrious Lafayette, notwithstanding. In the most powerful parts of continental Europe, out of France, it is in rank life. In Austria, it is inveterate. In Russia, tremendous. In neither country is there any check in general public opinion, upon the imperial will, and legions of armed and brave men, are the obedient instruments of that will. Both governments, on the principle of arbitrary sway, are administered for all purposes, but especially warlike purposes, with abundant ability. They can, unhappily, plant the array against freedom, in glittering masses and with frightful vigor. The battle somehow, and soon, must be fought. Caution may delay it for a while; but it cannot go off. The interests and passions which the events of those three days put in motion, and the example which they have consecrated, are far too mighty in all that affects thrones, empires, and people, to subside without a furious conflict. Even in England, the principle of monarchy is deeply rooted. There, it is sustained by an aristocracy of invincible influence, which never can be overcome in political, any more than in common life, under the present complex system of their government, the monopolizing preferences of their laws, and the state of representation in their house of commons. With that aristocracy a large portion of the British public, much larger than we think, will, from principle, or dependence or prejudice, be brought to side; forming together a rich and courageous body, formidable by both these attributes, as well as its intelligence, that will be ready, on very slender pretexes, to fight it out against the principle of the new revolution in France. Though the principle of that revolution was as just as the victory of the three days was brilliant, and though it was magnanimous to defeated royalty, beyond all parallel, it will not escape the frowns of aristocracy. The materials of strife, will be aggravated by the shock of conflicting principles. The speech of the ambassador, Talleyrand, to king William, (a formulary not new to the ambassador), and the personal or even royal virtues, of the king, will not alter the essential nature of things. It is, in fact, the war already begun between popular opinion, on the one side, and ancient and established power, on the other, which Mr. Canning, in his speech on the affairs of Portugal, not long before his death, described as in prospect for Europe; and which, once begun, might be expected to be terrible, both by its fierceness and duration. May we, from our distance, and under our equal and happy institutions, keep out of the strife. Candor must, admit that the present administration of our government, as far as the public know, have pursued a conciliating course towards other nations. But a course friendly and conciliatory on our part, is not always a safeguard against trouble. Should Great Britain get into war, she would wage it with more effect than she has ever waged war before. Notwithstanding the occasional depression in some parts of her industry and distress in some parts of her population, whether from heavy taxation, the growing rivalry to her manufactures in other countries, of her abridged currency from a return to specie, or from a deficient supply in the precious metals, or from whatever other causes arising, which her own statesmen never can settle, we must not suppose that she has been losing ground. Her resources, on the contrary, in defiance of all real or imaginary diminutions, have undergone, since 1815, in the aggregate, a vast increase. Her exports, her imports and her revenue, would be the decisive tests of this assertion, particularly her revenue from excise, which is little short of thirty millions sterling a year, showing a prodigious increase in her power of consumption and payment within. This amount of her excise at present is the more remarkable, as parts of this branch of her revenue system, have been repealed since the last war. Her population has been increasing faster than it has ever done. Her towns, even London, enormous as they seemed before, have grown in size, some of them, as London itself, almost beyond belief, whilst new ones have risen up; and where, scarce fifteen years ago, you saw in the country, heaths and commons, wild and sterile, and the abode of robbers, you may now turn your eyes upon fields and gardens, and manufactories and schools. The quantity of her grain of all kinds, raised and sold at home, has increased greatly with the increasing amount of her manufactures. The whole momentum of her physical and moral power, in short, will be found to have advanced in a ratio, marking, for the most part, the progress of new, rather than old countries. Her armies and fleets, partaking of the general advancement, will go forth in greater numbers, and under more formidable equipments of all kinds, than heretofore. Her debt will not restrain her a moment from war, after her interest, her ambition, or her pride, begins to urge her on. It is even less than it was in queen Ann's time, in proportion to her wealth and income. The heresy of defending such a debt would be one thing; to look at it in connexion with her augmented means of revenue and aggression and free from misconception under these views, is another. If her expenditure be excessive, beyond all examples in modern times, so is her power of replenishment. Of the latter, her credit is the consequence and the proof. On this subject I once heard a grave senator of Britain say, what may here be worth repeating. I heard him, and it is not more than six years gone by, thank his God, that his country, having borne the property tax once, could bear it again; which, yielding as it did, fifteen millions sterling a year, would be good, he said, for the interest of at least *three hundred millions more* that might be borrowed, in addition to their present debt of eight hundred millions; and this, without adverting to other and new sources of supply. Her government could borrow now from her own subjects, more mo-

ney in a few hours, than all the governments in Europe could borrow from their subjects in the lapse of months, probably years. Even the loans made in other parts of Europe, would be under the assistance of British capital, directly or remotely afforded, as they have been, more or less, for twenty years past; else they would be small loans, in comparison with hers.

If Britain should get into the war, I am forced to believe, however reluctantly, that she would impress our seamen, under a revival of her unwarrantable claim to search the merchant vessels of other nations upon the high seas, for her own. Should we get embroiled through this, or any other causes to which the belligerent state of Europe would open a fruitful field, then should we begin to see, in new lights, the true nature of our late policy. Then would be apparent, our gain from the protecting system, partially as we have adopted it. I say partially, for it is a misapplication of terms to speak of it as prohibitory, or even rigid, when judged by the example of nations that have gone before us. It may seem strange, after all that has been said about the tariff, yet it is true, that, at this moment, of the whole amount of foreign merchandize, paying ad valorem duty, that we import from all parts of the world, nine-tenths of it come in under duties varying from twelve per cent. to thirty-three and one-third per cent. It is only one-tenth that pays higher, and this tenth does not pay over fifty per cent. and some of it less. Let it be added, that the *ad valorem* articles that we import, exceed, generally, in the sum of duties collected from them, the articles paying specific duty. Still, we should reap, in wealth and strength, to the amount that we have sowed. We should derive the proper value of our manufactures, already flourishing to some extent in woollens, in cotton, in iron; all of which would be immediately and advantageously extended and improved. Then too, should we begin to see, in new lights, our internal improvements, made at the national cost, for the national benefit; then should we see how they facilitated our intercourse, cheapened all our defences, augmented all our means; then should we acknowledge the wisdom of those measures, and wish their execution, that were long since projected for us by able statesmen, by Albert Gallatin and Mr. Calhoun, as fit to be accomplished by the nation's means; measures which looked, and these were not all of them, to the construction of a well-finished and durable road, from Louisiana to Maine, and to connecting Boston and Savannah, by a well-established line of inland navigation. Measures of this character, are due to our proper advancement as a nation, due to the destinies to which nature and the glorious freedom of our institutions are beckoning us, if we, the present trustees of them all, do not slumber over and neglect them. We ought to be roused to them, by casting our eyes to the high standards of competition before us in other nations. There is a race going on, in the world, of riches and power, as well as freedom, from which sluggard nations will fall back; out of whose bright course they will be hooted: the prize of the last our fathers won for us, and may it be imperishable. Let us do the rest: they would have expected it of us. Let us raise up, to the proper pitch of social and national exaltation, the country which they gave us; else shall we be unworthy of such fathers; else will they have done every thing, and we nothing. Shame if we abandon measures of internal improvement, when the good sense of the world is on our side, and after majorities of our own people have repeatedly come to decisions in their favor, on the score both of the constitution and of expediency. Having begun with them, let us go on, with wisdom as with resolution. They would form the great highways of a profitable traffic to us in peace, and of our most important operations in war. Every year, every day, they would be leading to new developements of our agricultural and mineral products, as our manufactures are beginning to do; to which they should be as inseparable handmaids, and, in conjunction with which, they would every where be enriching and embellishing our land. By the states, individually, they will never be done: they cannot be done. Unless the nation does them, they will remain forever undone, to our detriment in peace, and our greater detriment in war. Of such measures, as of all measures for the tariff, a statesman of our country, yielding in genius to none in either hemisphere, has been the undeviating and master advocate. I can mean none other than Mr. Clay. Foremost has he been in fighting the battles of the mind, that won the victories of the mind, when these momentous parts of our policy came first under full discussion; and I am the more bound to mention him here, because it is to him that all the first praise of your letter belongs. In transferring it to him, I perform but an act of sheer justice. History, with truth in her hand, cannot fail to give him higher and more durable praise, when the spirit of party shall have passed away.

It is time that I should bring my letter to a close. I have no excuse for its length, but in the nature of yours. Your facts are full of public importance, and it is for this reason that I write about them through the medium of a paper in the town where I live, publishing also your letter. The opinions I have given, being those of a private citizen, not delivered from any official seat, may pass for what they are worth, and no more. I have given them with the more freedom, because I am a private citizen. My praise or my blame, can be of no account to any one. I am no writer for the newspapers on party subjects; but I do not confound, with such discussions, the valuable public facts which you have presented to me; and least of all at such a crisis as I believe to be drawing near. I view them as part of a great class of facts, proper to go before the public: and in giving them to that tribunal, I have added as much of comment as seemed to me appropriate, viewed in connexion with the principles and reflections that belong to them. I have done so, not with the passions of a partizan, for I do not feel them, but under truths and convictions that I do feel; and which feeling, I have expressed without reserve, as, I trust, without indecorum.

Thanking you again for your letter, and with wishes the most sincere for your continued and further prosperity, with which I hold the public prosperity to be identified, I cordially reciprocate your assurances of friendly esteem, and beg to subscribe myself,

Your obedient and faithful servant,

RICHARD RUSH.

To Messieurs *R. Farnum, A. Hall, J. H. Langleyes, H. Killy, Edward Hall, of Providence, Rhode Island.*

SUGAR CANE.

The Agricultural Society of Baton Rouge.

REPORT OF THE COMMITTEE.

Our society having received the circular of the secretary of the treasury, in reference to the cultivation of sugar cane, met on the fourth instant, and appointed a special committee to take it into consideration.

The report of your committee is contained in the following letter, which they first propose to address to the secretary of the treasury, and afterwards to give to the public, both in French and English, through the medium of the Baton Rouge Gazette.

Baton Rouge, La. Sept. 25, 1830.

The agricultural society of Baton Rouge, Louisiana, to his excellency S. D. Ingham, secretary of the treasury, at Washington city.

SIR—About the middle of last month, we received the circular, dated the 1st of July, which you addressed to us, on the cultivation of the sugar cane.

We have examined with all possible attention the queries which it contains, and to the best of our ability, have endeavored to resolve them.

In his circular of the 25th July, 1829, Mr. H. H. Gurley, our late representative to congress, proposed twelve queries, on the cultivation of the sugar-cane, to which we replied on the 25th September of the same year. As several of these queries, particularly the 1st, 2d, 4th, 6th and 7th, have nearly an equal bearing with the numbers 8 and 9 of your circular, to avoid repetition, we have thought proper to send you, together with this, the Baton Rouge Gazette of the 26th of December, 1829, in which will be found the queries of Mr. Gurley, the report of a special committee appointed thereon, and in support of that report, our letter to Mr. Gurley, dated the 26th of September, 1829.

We wish you, however, to observe, that at the time we replied to Mr. Gurley, and precedent to our rolling season, (which commences only about the 1st of November), *received* by the abundant and extraordinary crop of the preceding year, 1828,—a year unexampled and probably never to be equalled in this country—we magnified the produce, passed superficially over many expenses, and considered as naught the almost annual accidents caused by cold and frosts, by violent winds, tearing up the cane by the roots—by droughts, or heavy and successive rains, by the first of which its quantity is diminished, while the latter greatly impair its quality—and, finally, by the giving way of our embankments, and the consequent inundations, the ravages of which are sometimes felt for more than fifty miles.

Astonishing and extraordinary instances of the plentiful crop of the year 1828, in certain portions of the country, have been triumphantly produced, and rumor has lent its aid in giving them due circulation. Of this we are shewn an instance in the crop of the Ransons (brothers) residing in the parish of St. Charles, which amounted to 680 hogsheads; another in that of Mr. Joseph Sauniac, of the parish of Jefferson, who made 920. Yet, notwithstanding these and other partial and plentiful crops, the mean produce of the year 1828, did not exceed one hogshead per acre.

In 1829, the sugar crops amounted to but one-third, or a little more than a third of those in 1828; a fact, the truth of which you may have ascertained, sir, by comparing two statements of the produce of the years 1828–9, drawn by Mr. P. A. Dejelos, of New Orleans, which have been published, and with which you are no doubt fully acquainted. From these statements, it appears that, in the year 1829, the produce of the parish of St. John the Baptist, situated on the left side of the river, amounted only to 1,948 hogsheads, instead of 4,453, its quantity in 1828; that St. Charles, on the same side of the river, made in 1829, 2,925, instead of the 7,446 of 1828; and that the parish of Jefferson, on the left bank of the Mississippi, produced in the year 1829, only 1,840 hogsheads, while in 1828 it had made 6,096. The same proportionate decrease will be found to prevail, sir, in most of the other parishes, or on the majority of the plantations. The crop of the same Mr. Sauniac, for instance, which in 1828, amounted to 920 hogsheads, dwindled in 1829 to 265! And finally, the better to contrast the unfavorable statement of the crops of 1829, with the happiest result in 1828, we see from the same schedule of Mr. D jelos, a very correct work, and one truly deserving of recommendation as a statistical sketch, that Mr. Woodward of the parish of Iberville, who in 1828 had made 117 hogsheads, in 1829 had made only 6, and that the crop of Mr. Barker, residing in the parish of St. John the Baptist, instead of 330, his produce in 1828, in 1829 amounted to 12!—results truly deplorable, and in reality to be reckoned as naught.

The present year, notwithstanding the fair promise of its spring, evinces generally a moderate produce. The cane crops have received irretrievable injury from the excessive droughts of June and July; and we doubt whether the same number of acres, cultivated in 1828, will yield more than a half of 88,000 hogsheads, the amount of that year's produce. But this failure is in a great measure remedied by the innumerable sugar farms which have been since established.

We have already observed that the crops of 1828 in Louisiana, though so highly extolled, did not actually average more than one hogshead of sugar per acre, allowing one thousand nett pounds to each hogshead. And in such a quantity of land, it is easy to conceive, sir, that there may be some, which, on account of the superiority or freshness of its soil, or from its being peculiarly favored, will yield 2,000 pounds and even more, per acre; while, on the other hand, whether from its barrenness, its being worn out, or less advantageously situated, the same quantity of land will vary from 1,000 to 500 lbs. and perhaps more. By this we can safely say, that the greatest produce of the most favorable year in Louisiana, exceeds not an average of 1,000 lbs. nett weight, or one hogshead of sugar to the acre, whereas, in the West Indies and other countries, where cane can be cultivated and sugar manufactured throughout the whole year, an acre will yield from 5 to 6,000 lbs. It should be moreover recollected, that in this country, there are often on the same farm, portions of land differing essentially in soil, the produce of which, both as regards quantity and quality, will bear the same disproportion. And thus, whether from some such local inferiority in the land, or because the cane being left standing to an advanced season, had become injured by the frost, the price of sugar from the same farm and in the same year, may decline 50-00, that is, from 8 and 6 to 4 and 3 cents the pound.

If to these evils, we add the unfavorable seasons, and innumerable expenses, which the sugar planter must inevitably incur, every impartial man will confess, that the income of that planter, of one, who unlike the European land owner, is unable to let his property, and is obliged himself to till his land, to devote his whole time to servile drudgery, to lead a rude, solitary and monotonous life; who employs slaves purchased at an exorbitant price, and who are ever exposed to the fatal disease of the climate, every impartial man will confess, we repeat, that the income of this planter, whose life at the best, is far from being enviable, does not by any means justify the representations of those who would feign believe them just.

We have before us an authentic statement of the nett and gross income for five years, from 1824 inclusively to 1828, of one of the best and most extensive establishments in our neighborhood—an establishment on which there are annually 300 acres of cane in cultivation, and which the proprietor might have sold on credit, ten years ago. He now regrets not having sold it for $150,000, including more than a hundred negroes of different ages. From this correct statement, in which we have made no deduction for the loss of several negroes, who have fallen victims to disease, we find that the nett proceeds of $33,000 for five years, afforded annually a mean income of 6 30-60. Numerous other statements could be produced equally exact and correct with the following, of which we have given you the detail.

	Gross proceeds.	*Expenses.*	*Nett proceeds.*
1824	$ 4,330	$3,831	$ 499
1825	11,705	4,975	6,730
1826	10,669	4,392	6,277
1827	14,694	3,028	11,666
1828	12,819	4,944	7,875

Thus the nett proceeds of $33,047 will be found to afford an annual income of $6,609, which is equal to 6 3-5 00.

If, then, of three years, the first 1828, presenting an excellent nett revenue of 3
Another, 1829, a very favorable year, the income of which amouts to only 3
And the third, 1830, affording expectations of a moderate crop, and a probable income of 6

Total, 18

We take a third, the consequence will be that sugar in Louisiana, is found to yield at the highest calculation, only a neat income of 6-00. A calculation, sir, which tends greatly to lower the exalted condition of sugar planters; of men who have borrowed from our banks, or elsewhere, at the annual rate of 10 per cent. and a result which, in a country where such is the fixed rate of interest, offers but few inducements to cautious and foreign capitalists, who hold nearly all those immense sums located in bank stock, or committed to the charge of

brokers; in fine, a result which, for the payment of the dividend and interest, subjects us to annual or semi-annual exportations of our moneys, drains Louisiana, and places her forever in dependence on foreign capitalists.

In the above statement we have said nothing of numerous other accidents to which the sugar planter is peculiarly subject; we have made no allowance for those rapid changes of the weather, about the 15th of November; those violent gusts of wind so prevalent in this climate, and sometimes felt throughout the whole country, and at other times only by a few parishes, and in particular situations.

From the clear manner in which we have explained it to Mr. Gurley, in our letter to that gentleman, of the 26th of September, 1829, you will readily apprehend, sir, with such unfavorable crops, and exposed as we are, to such numerous discouraging accidents, what fatal consequences to the interests of Louisiana, would ensue from the slightest reduction of the duty of three cents on foreign sugar. It is easy to predict, sir, that she would never be able to recover from the blow.

Our planters, have, no doubt, been as inconsiderate and injudicious in encumbering their property with mortgages and extensive loans, for which they are subjected to a high interest, as they have been false in theory, in supposing that a few successive good crops, would entirely exonerate them. But, sir, the impulse once given was spontaneously pursued. The evil has begun, and every day adds to its extent. Nearly all the property in Louisiana, has been converted, or is daily becoming transformed into sugar farms, under the sole, firm and natural belief, that the duty on foreign sugar would be maintained, as a just reward and merited encouragement to our fellow-citizens of Louisiana, Georgia, South Carolina and Florida. The consequence of this transmutation of property in Louisiana, will be, that *her* annual produce alone, even in the most unfavorable year, will more than suffice for the consumption of the United States. Thus will the price fall of itself, to such a degree that were the duty not repealed, the introduction of foreign sugar, by tending to the loss of the speculator, will be rendered utterly impracticable.

Let not congress then *precipitate* the fall of its fellow citizens of Louisiana, Georgia, South Carolina and Florida. Let it only trust to the ordinary progress of time, and in a few years, sir, the reduced price of sugar, caused by its surplus over its consumption, will be equivalent to a repeal of the duty of three cents.—Then, and with this hypothesis before them, will those who have made loans, be enabled to liquidate, or at least, to diminish considerably their debts.

After the preceding preliminary and indispensable introduction, we shall now, in consequence, proceed to the investigation of your inquiries.

1st. The names and description of the several species or varieties of sugar cane, with a statement of their habits and qualities, as to soil, climate, &c.

Answer. The sugar cane, *Saccharum*, may be classed under the triandria-digynia of Linnæus. In the East Indies this plant grows in a wild state. Formerly, small quantities of it were raised in the southern part of France, and in Spain, but the expenses being found to exceed the produce, its cultivation was entirely abandoned. Its introduction into Louisiana, twenty-five years ago, has been attended with due success; but, owing to the severity of our autumns and winters, it has never come to such maturity as to produce seed. The roots of the cane are knotty, and bear five or six suckers. The plant itself, grows to the height of six or ten feet, according to the quality of the soil. From the joints, growing at equal distances on the stock, extend to the length of three or four feet, smooth blades, the edges of which are somewhat denticulated, and so formed as to represent a deep furrow of an albugineous color.—There is no cup to its corolla, but in its stead are two oblong pointed and concave valves covered with beard. Its flower is adorned with three very delicate stamina, encircling two rough styles, on the summit of which are its generating apices. Besides this kind, which is considered peculiar in Louisiana, and thence termed *creole*, other species of cane, such as Otaheita and ribbon, have been introduced among us. The creole cane, however, is generally preferred, although the *ribbon*, (so called from its variegated and striped rind), is of an earlier and higher growth. But these qualities are in a measure cancelled by its extreme hardness.

A few years ago, our society received from the island of St. Thomas, some seed of the sugar cane, which were planted, but, notwithstanding all their precautions, never came up. The only method, then, to propagate the cane, is to plant the stock itself, at the termination of autumn. It sprouts at the joints and comes up at the commencement of spring.

2d. The highest latitude and coolest temperature in which the sugar cane produces seed?

Answer. The warmer the latitude the better the cane matures and goes to seed, and it is our belief that it never produces seed capable of generation, above the 21st degree of latitude.

3d. The best method of preserving the vegetating principles of cane cuttings on a long voyage?

Answer. Within our knowledge, cane cuttings, by being packed in boxes of very dry sand, so as not to touch each other, and with their ends hermetically closed up, have been carried from Louisiana to France in a perfect and sound state.

4th. The latitude and temperature of the coldest climate in which sugar cane has been advantageously cultivated?

Answer. It was only a few years ago believed, that the establishment of a sugar farm above the latitude of 30 degrees and 10 or 15 minutes, was deemed a hazardous enterprise. We were justly alarmed at the severity of autumn and winter, the weather at those seasons being sometimes six degrees below zero, according to Reaumur, or eighteen, and even more of Fahrenheit. But time has served to embolden us. Sugar cane has already been cultivated to advantage near the 31st, and we entertain little doubt of its extending in a few years, as far as the 32d degree of latitude, and this point will certainly be its *ne plus ultra*.

5th. The best mode of cultivating the cane?

Answer. This depends entirely on the different situations. In a latitude where cane can remain standing without injury, and sugar manufactured throughout the winter, the seasons for ploughing the land, planting and rolling up the crop, must differ essentially from ours.—The preservation of our crop demands that we commence cutting the cane about the 1st of November, that we be constantly conveying it to the mill, and grind it as soon as possible. Our lands are ploughed and planted in December and January, in order that the cane may profit from the genial warmth of the spring. When the plant is young, great exertions are required to preserve it clear of all noxious weeds, from which, as soon as it becomes two or three feet high, it is enabled to protect itself.

6th. The best method of making sugar from the cane?

Answer. The only method hitherto employed for the manufacture of sugar in Louisiana, has been, to extract the juice from the cane by means of strong cylinders, carried round by horses. This juice is passed into large boilers, where it is submitted to the action of heat, and is kept in constant ebuilition. By the application of a small quantity of lime, it then becomes cleansed and purified, after which it is permitted to cool, and acquire a grain in vats constructed for that purpose.

7th. The latest improvements in making sugar from unripe cane, noting the advantages and disadvantages?

Answer. Two foreigners arrived in Louisiana, one at the end of last year, and the other about the commencement of this. Both claimed the honor of having invented a more expeditious, economical, and, in every way, a better method than ours to clarify the juice, and to make sugar of the molasses. One of them attempted a few experiments on a small scale; but, as, in order to decide on the merits or demerits of the invention, we must look for more extended operations, we can draw no conclusive inference.

8th. The average quantity of sugar which may be made from a given quantity of land, of proper quality, in the various places in which cane is cultivated?

Answer. Our reply to the 7th query of Mr. Gurley's circular, shews that, with a tolerable soil and in a favor-

able year, one acre of cane in Louisiana, will produce 1,000 nett pounds, or one hogshead of sugar. But sugar-cane, on account of its numerous roots and its strong vegetating power, soon wears out the richest soil.—Even our alluvial lands on the banks of the Mississippi, interior, perhaps, to none in the world, and planted for twenty years past with cane, have become nearly worn out. When, moreover, we recollect the misfortune of unfavorable seasons, it will be immediately perceived that much remains to be deducted from this calculation of 1,000 pounds of sugar per acre. It has been proved above that the mean annual produce of three and five years, amounted to six per cent. or 600 pounds of sugar to every acre, but the annual expenses still remain to be deducted from this amount of 600 pounds.

9th. The number of hands required to cultivate a given quantity of land planted with cane, and to perform all the labor necessary in the manufacture of sugar in the different places where it is made; and the estimated expense of making a given quantity and putting it up for market in each or either of these places, including boxes, casks or hogsheads?

Answer. In answer to Mr. Gurley's 4th query, we stated that one hand was sufficient to cultivate and manufacture five acres of cane, and immediately after the first of the same gentleman, is a detail of the annual gross produce of that hand, amounting to $297 50. In reply to his 2nd query, a deduction has been made of the expenses incurred annually by said slave, (or upon five acres of cane), including overseer's and physician's wages, the purchase of horses, &c. all of which were estimated at $105. It will be therefore seen, (note B.) that there remained to each hand the annual nett produce of $192 50. But from observations later, founded upon experience, and from the facts contained in this letter, we declare that the sum of $192 50, stated to be the nett produce of one hand, can have reference only to the abundant year of 1828; that according to more recent and exact calculations given you above, we are justified in deducting two-fifths, and that thus the mean nett produce of one hand on a sugar farm in Louisiana, for the space of ten, or at least of five or three years, annually amounts, at the highest calculation, to 120 dollars.

10th. The best method of refining sugar?

Answer. Little information can be obtained on this subject in Louisiana. There are but two or three refiners in the state. Their process is about similar to that of the Hamburg and English refiners; but the sugar is of a much inferior quality.

From what has been said, we still infer, sir, that the slightest reduction of the present duty of three cents on foreign sugar, would cause the total overthrow of all the fortunes in Louisiana.

We will make but one remark more, but one of importance to the interests of the union. It is this—that the abatement or repeal of the duty on foreign sugar, after having promoted the ruin of Louisiana and the destruction of her sugar farms, a product best adapted to her soil, and which assuredly alone repays the planters for the sums he has advanced and the labours he has undergone, would immediately tend to the interest of foreign commerce, and particularly to that of the Havana merchants, who form our chief supplies, and who, having nothing more to fear from a competition with us, would exercise, at their will, an unlimited monopoly, which would be more burthensome to the consumers of sugar in the United States than the present duty, which moreover tends greatly to the promotion of our finances. Let us, moreover, remember that, in case of an external war, the blockade of our ports would deprive us of a commodity, now become absolutely indispensable. By the repeal or reduction of the duty on sugar, the United States would then be exposed to certain loss and danger.

We remain, sir, with great respect, your most humble and obedient servants,

(Signed) P. HICKEY.
president of the agricultural society.
J. DEBELLIEVRE, *secretary.*
Baton Rouge, Sept. 25, 1830.

The society unanimously adopt the report of their special committee. It is, therefore, resolved that the letter, signed by the president and secretary, be forwarded to the secretary of the treasury, and afterwards published in French and English in the Baton Rouge Gazette; that all documents in relation to the circular of Mr. Gurley, and our report of the 26th September, 1829, be re-printed.

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The Attakapas Gazette has the following statement on the same subject. The use of the terms acres and arpents, rather confuse this subject. We do not know the quantity of an arpent—nor is it our business, as Americans, to know it, when *American* lands are spoken of. But local phrases are not confined to Louisiana. The Virginians have *four pence half pennies*—the Marylanders *fippenny bitts*, and the New Yorkers *six pences*, all meaning the same thing, and easier expressed in all cases by using the American words *six cents.*

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The undersigned, members of the committee appointed by the meeting of the inhabitants of the parish of St. Martin, held at the court house of said parish, on the 5th instant, to report on the amount of capital invested, expenses incurred, and revenue realized on sugar plantations generally in this parish, have at different times of meeting given to the subject all the attention which an impartial and just investigation of the same seems to require.

From the best lights which they have been enabled to elicit, as well from the information of others as their own experience, they beg leave to present to the public the following

REPORT.

The committee suppose the case of an individual, arriving in this part of the state with the intention of forming an establishment for the manufacture of sugar. He has no property except *money*, and he proceeds to purchase at current cash prices, all that is essential for forming the establishment which he desires.—He purchases:

1,250 acres of land suitable for a sugar plantation *a* $20 per acre		$25,000
50 negroes (working hands) *a* $600		30,000
30 pair work oxen	40	1,200
40 horses and mules	50	2,000
25 cows	15	375
10 carts	60	600
25 ploughs	7	175
24 pair trace chains	75 cts.	18
10 ox chains	3	30
5 plough chains	3	15
1 timber wheels and chain		100
50 hoes		37
36 axes	1 50	54
15 collars and hames	2	30
16 ox yokes	4 50	41 75
40 spades		30
6 cross cut saws	5	30
2 whip saws	8	16
Carpenter's and cooper's tools		50
Blacksmith shop and tools complete		150
Dwelling house, negro cabins, stables and corn mill		6,075
30,000 pieux for fencing		2,100
24 cane knives and 12 scythes		40
60 arpents sugar cane for plants *a* $50		3,000
Grinding house, boiling house and draining house, with apparatus complete, with two setts of kettles erected		10,000
Mill put up ready for grinding		2,000
Clothing, leeding and doctor's bill for 50 negroes, *a* $50 each		2,500
Overseer's wages (with board and washing estimated in this sum)		1,000
Cooper for making hogsheads, (materials and cooper's board and washing estimated in this sum) 250 hhds. *a* $1 50		375
Sugar maker, 250 hhds. *a* $2 25		562 50
12 hoe harrows	5	60
5 harrows	8	40
Amount of capital invested		$87,704 25

Statement of revenue.

300 arpents of sugar cane are supposed to be planted, of which 50 arpents are reserved for seed; the balance (250 arpents) are made into sugar, and estimated to produce, on an average of three crops, 250,000 lbs. sugar,

estimated to be worth six cents per lb. in N. Orleans	$15,000
10,000 gallons molasses sold in sugar house, *a* 12 cts per gallon	1,200
	$16,200
Charges.	
Freight to N. Orleans of 250 hhds. *a* $4 50	1,125
Insurance ½ per ct. on $15,000 with policy	79
Commission 2½ per cent.	375
Storage, drayage, cooperage, weighing and labor hire	262 50
Nett revenue per year	$14,358 50

SCHEDULE

Of disbursements to be paid out of the funds derived from the above revenue, caused by the consumption of provisions, wear and tear of plantation tools and utensils, losses of slaves, cattle and horses, repairs of buildings and all other items stated in the amount of capital and which have been lost or consumed by use—

Repairs of sugar house, kettles, mill, &c.	$500
Loss of slaves by death or marronage, valued at 7½ per cent.	2,250
Loss of cattle 25 per cent.	300
Loss of horses and mules 20 per cent.	400
Loss of cows 20 per cent.	87 50
Repairs and renewal of carts	100
12 ploughs	84
Renewal and repair of chains, hoes, axes, collars, yokes, spades, cross cut and whip saws, and tools for cooper and carpenter	140
Iron and steel for blacksmith's shop	60
Repairs of all buildings except sugar house	200
4,000 pieux *a* $7	280
Clothing, food and doctor's bill for 50 negroes *a* $50 each	2,500
Overseer's wages, board and washing, estimated in this sum	1,000
60 gallons lamp oil *a* 75 cents	45
500 lbs. nails *a* 7 cents	35
	$7,951 50

Which amount deducted from $14,358 50 leaves a nett profit to the proprietor of $6,427.

The committee would state that most of them have been practically engaged in the manufacture of sugar for a number of years—some in this part of the state and others on the Mississippi. The above statement is founded on the results of their own observation and experience, joined to the most impartial and correct information which they have been enabled to glean from others, and presupposes the case of a plantation in Attakapas advantageously situated, conducted with skill, economy and industry, and sustaining no unusual losses. It is their opinion, that a great number of the planters in this section of the state do not realize profits to the amount herein stated. They do not include in the list of expenses the item of corn, which most of the planters are in the habit of buying, and which considerably swells the amount of their expenses. They conclude by observing that the support of the proprietor's family and the education of his children, are of course to be paid out of the amount of nett profits stated.

All which is respectfully submitted.—Parish of St. Martin, this 8th day of October, A. D. 1830.

N. DECLOUET,
DESPANET DEBLANC,
JOHN C. MARSH,
ST. MARC D'ARBY,
WM. T. PALFREY.

Additional notices.

The crop in Attakapas, it is said, does not yield as abundantly as was expected—but in Opelousas, that the superior sweetness of the cane will compensate for its deficient quantity. The Gazette of Baton Rouge relates an instance of a planter in the parish of west Baton Rouge having left in the vat some juice of the cane which he had extracted in order to try his mill, which was in a few days converted into syrup by the mere effect of natural evaporation.

On the whole, and from various accounts, we should suppose that the crop of the present year will be a fair one.

Experiments relative to the adaptation of the climate and soil of South Carolina to the cultivation of the sugar cane, have resulted very favorably at Cheraw, in that state. Similar experiments in the vicinity of Mobile have also been attended with flattering results.

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We see it announced as if by authority, in one of the New York papers, that the duty on sugar will come into consideration at the next session of congress.

The New York Evening Post, of the 19th ult. says—

A petition for a continuance of the duties on sugar has been got up in Mississippi, but it appears to meet with little success. "Nine-tenths of the state," says the Natchez Gazette, "would discountenance such a petition, and so far from obtaining the sanction of the legislature, that body will, in all probability, pass a resolution instructing our senators and representatives to use their best exertions to have the tariff modified, and the *duty on sugar repealed.* The duty on sugar must stand or fall with the tariff. We will not debate the point of advantage or disadvantage as regards this *particular* duty; we strip the question of all superfluities and place it where it really belongs—on the broad basis of the tariff. It is a question between the advocates of *free trade* and the advocates of the *restrictive policy.* As such it must be decided; as such it must stand or fall. Is Mississippi a tariff state? Then she will support this duty on sugar. Is she opposed to this oppressive system? Then she will urge or repeal the duty." The Pearl River Adoocate affirms that in the south western counties of Mississippi, where sugar is generally cultivated, the *people* are universally opposed to this duty.

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The New Orleans "Argus" says—According to M. de *Brunfaut*, professor of chemistry, who was examined before a commission of the French chambers in 1827, (*Enquette sur les sucres*), there were *one hundred and ten* establishments for the preparation of sugar from the beet-root then in active operation. The sugar annually produced by them he estimates at 4,830,000 kilogrammes, or 10,637,000 pounds. He supposes that one hundred new establisments would be formed in that year; and that in *five years* the indigenous sugar from the beet-root would suffice for the annual home consumption of France, which is 65,890,723 kilogrammes. Such is the triumphant result of domestic protection of even a "forced culture!"

Sugar cane in North Carolina. We were presented a few days since, by John M'Rae, esq. of Fayetteville, with a sample of a small crop of sugar cane which grew in his garden the present season. The stalks are large, having 15 or 16 perfect joints, each. The cane was planted last April, and appears to be well ripened, the juice abundant and sweet, and to all appearance as fine as if it had been raised in a sugar country. We have no doubt that in a few years, the sugar cane will be extensively cultivated in this state, as it is evident from the success of this limited experiment, that our soil and climate are well adapted to its growth. Mr. M'Rae will preserve his present crop, for transplanting next spring. [*Raleigh Register.*

Florida sugar. The partial failure of our planters in former years, has occasioned them to employ experienced hands in the manufacturing process, this season. A sample from the plantation of Mr. Washington, under the superintendence of a gentleman who acquired his knowledge of the business in the West Indies, will compare with the finest qualities of Louisiana sugar, as to grain, flavor and color. Most of our planters have had their establishments in readiness for ten days, but partial experiments only have been made in consequence of the continued fine weather, and the entire absence of frost. We may calculate, however, that the business will be commenced next week, and prosecuted with vigor. At present it is impossible to calculate the quantity that will be made in middle Florida this season; but we trust it will be sufficient to remunerate those engaged in the business, and to induce others to embark capital in the production of a staple so well suited to our soil, and which, at present, promises to add so much to the population and wealth of the country. [*Tallahassee Advocate.*

NILES' WEEKLY REGISTER.

FOURTH SERIES. No. 17—VOL. III.] BALTIMORE, DEC. 18, 1830. [VOL. XXXIX. WHOLE NO. 1005.

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT $5 PER ANNUM, PAYABLE IN ADVANCE.

☞ The superior "misery" in *editorial* life (after that of wanting money to pay honest debts for labor performed, or materials furnished), is in having, with much application and frequent trimmings of the "mid-night lamp," read over, examined and prepared a great deal of matter—to find the labor as if wholly lost, by a press of articles that may not be postponed—as is our case at this time. We have gleaned and gathered, or condensed, enough to fill a whole sheet—all which must be omitted, and much of which will be "out of season" for a future publication.

The legislatures of several states are now in session—and the *materiel* for a work like this, is overflowing. This is a wholesale apology for the apparent neglect of *current* articles. We have aimed at the insertion of those of most general interest—or, at least, of such as should be; but if no other new and prominent document is presented, we shall bring up some of the leeway next week. We specially desired to give one letter from a *Jerseyman*, another from a *North Carolinan* and a third from a *Louisianian*, in the present number. But these will not suffer by a little delay.

☞ That the documents accompanying the president's message might be speedily laid before our readers, in a convenient and connected manner, we have given to them another supplement—and, as our last, so the present number contains 24 closely printed pages.—It is pleasant to add, that the rather heavy extra expense of these supplements has been defrayed by additional subscribers received in its period. So that, if all the extra monies thus obtained has been given away, we now remain as we were, in that important respect!

We have taken all the liberty that we dared, *consistent with the right of the Register*, to condense or *cut down* the account of the proceedings of congress, offering many matters of much present interest and needful for reference, in shewing the operations of persons and parties: still, the details are very extensive.

It will be seen that a proposition to reduce the duty on sugar was refused even to be *considered*, and by a very positive vote; and that another proposition to affect several leading articles in the tariff, again including sugar, was handsomely put down, at its beginning, in what Mr. *McDuffie* would esteem a very uncourteous manner—delighted, as he must be, with the "want of respect shewn to the chief magistrate," in the reference of those parts of his message which relate to the bank of the United States, and the terrible power proposed in lieu of that institution; and so persons may be pleased or displeased by the operation of the same principles!—There is great difference between *my* hobby and *thy* hobby—or the *farmer's* bull and the *lawyer's!* A close looking at the yeas any nays, on these three questions, is very instructive. If I had time, I would throw all the names into a table, with such political classifications as would afford much amusement—to reflecting men, not *mere* politicians!

Yet it may not be supposed that such favorite projects are wholly abandoned. They will appear in new shapes—but, probably, in every shape be voted down, at the present short session—unfitted for the due consideration of matters so important, being also uncalled for, and *forced*, rather than presenting themselves, to the consideration of the *national* legislature. The grand contest may come on in 1831-2, and if so, both parties will be prepared for the emergency: yet things to happen, during the present session, may have an imposing influence over future events. *Caution* is always the parent of security—and, as the opponents of the great principles for which we are so zealous, can be rallied in a moment at the *command* of a leader, those on the other side should look well about them, and never be found slumbering at their post. That the tariff might be improved, we have no doubt—but movements to that effect should be made by the friends of protection, or rather of *reciprocity* in our business with Europe; and not without much consideration, as to circumstances and time:—unless, yet further, if it shall appear necessary to enforce the execution of existing laws. To this all honest men should agree.

It was understood that the duty on sugar would be the pioneer of the new and contemptible policy adopted (we care not by whom) to "*divide and command*" the majority. It has been the policy of tyrants from the first peopling of the earth after the flood, and will be the resort of felonious men until the end of time. *Obsta principiis*, as Mr. Ritchie says. At the present "momentous crisis" as Mr. Ritchie *would* say, (if we had not cured him of finding one in every newspaper that he received—fifty *per diem!*) let us admit no detaching of parts, as recommended—but make our opponents "go the whole" against *the whole*; and then we can well appreciate the result. This is what *I* call "ju-di-ci-ous." The minority have rights, and should be respected—but cann ot be allowed to rule the majority, *unless in treason to the people.*

For my own part, I am sometimes, (for a moment only), so provoked into an *evil spirit* as to wish that the duty on sugar were *nullificated* by the dnings of the south—though satisfied that the price would advance as the duty declined, because of the destruction of the domestic competition; for such *nullification* would speedily bring about *annihilation* to the prosperity of many *nullifiers!* The owner of a little cotton mill in Rhode Island, (being abundantly supplied with cheaper cotton from LOUISIANA)—if fond of the chase, and by way of relaxation, might purchase some 10 or 20,000 acres of the present cotton lands of South Carolina, (abandoned to the old state of forest, or scrubby pine, in which it was)—and, by holding it a few years, have as fine a range for deer, or haunt for bears, as any of the minor German princes possess! But such spirit is instantly driven away, like a "foul fiend," by the master-spirit which, I hope, influences me, and regards all the United States as having one interest. Louisiana has the climate and soil to grow more cotton than all Europe will take of us, cheaper and better than South Carolina or Georgia, if the diversion of labor from the cultivation of sugar shall be made; by which the working-machines, or slaves, would be instantly reduced one-third their present value, or price. But, and after all, what is this cotton, cotton, cotton, which is continually tingled in our ears? It looks large on the table of *exports*—but its whole value will not pay for the *potatoes* which the people of the United States *consume;* and the cabbages, turnips, parsnips, *onions*, cucumbers, watermelons, &c. are worth not less than this cotton, cotton, cotton. A person using 40 yards of cotton goods in a year (a large allowance), will consume about 80 cents worth of cotton. How far will that sum go in supplying him with *potatoes* for the whole year, or *cabbages* and *onions*, and so forth? Let the people look at it—and they will see that cotton is not—the *only* thing of value! That this world is not made of cotton—nor of potatoes, whatever some in *South Carolina* or *Ireland* may think of it!

"CHANGE OF POSITION." If we remember correctly, judge Smith, a senator of the United States from South Carolina (superceded by Mr. Miller, after the 4th March next), was "*turned down*" in that state, a few years ago, because that he was an unbending champion of what are called "state rights"—it *then* being the opinion of the South Carolina politicians that the *national* government had power to do *any thing*, under that sweeping clause of the constitution which speaks of the "general welfare." But the same persons seem to have discovered (in certain

most important respects), that they were entirely in the wrong!—that the *federal* government has no power which a single state may not *nullify;* that Delaware can undo *any* and *every* law of congress, and in relation to any or every matter or thing—gov. Miller, their organ, saying, "If congress has a right to pass on its own power—so HAVE YOU"—that is, the legislature of the state: and gov. Miller, thus taking *all* power for South Carolina, is too much a "state-rights' man" to deny it to Delaware! Suppose the latter, in the plenitude of this power, shall declare it unconstitutional to hold slaves, and *nullificate* the idea of property in men? It must be admitted, that Delaware, if having a "*right to pass on her own power*," may as well do this as South Carolina pass upon any rule of the constitution or proceeding of congress. Either, and every, state, must have an *equal power* to *construe the constitution;* and the latter must, of necessity, become a mere bundle of absurdities—a bag of words, without ability to support itself, and perish of its own imbecility. But because that judge Smith now believes, as he always has believed, that the federal government has the power of *self-preservation*, he is again "turned down" by the same party that rejected him, because of his "radical" notions! *Such are the jugglings of politics.*

And yet the party which opposed judge Smith, because that he thought the states had *some* power, and have again put him down because believing that the states have not *all* power, make a precious exhibit of *their own* consistency, in supporting the bank of the United States, the institution of which all the old strict constructers of the constitution supposed to be the most delicate and difficult of all things to reconcile with the powers delegated, or retained, by the states! Shall *Delaware* NULLIFY this corporation? Shall she pass an act making it *felony* for any person to enter her territory with one of the bills or notes of this bank in his possession? To establish offices at Delaware city, New Castle, &c. and forbid all communications between the parent bank at Philadelphia, and the branches at Baltimore, Richmond, Norfolk, and the further south? Every body would laugh at an act so preposterous; but, *if* the states have the power claimed by the new-lights of South Carolina, Delaware, in her "sovereignty," may do all these things, and whatever else that she will! Break open all letters passing north or south, like the late duke of Brunswick, or post-master Weirich, at Claysville, and make prize of their contents, *nullificating* the use of them to the people of all other states! If the right to "pass on her own power" is "*sovereign*," this may not be questioned—for that right *cannot* have a limit, in the doctrines of South Carolina. It is boundless as space—admits of no umpire. But these doctrines are the foulest heresy ever engendered by political crawlers on the face of the earth—whose inconsistency is not less ridiculous than their objects are abominable. There is a grossness—a brazenness, with respect to any regular or correct principle, in some of these men, that is without precedent, except in the passions of the monster-emperor, Paul of Russia—whose mind had no medium between childish fondness and infernal hate.

"☞PLEASE EXCHANGE." This request is almost daily made of us, and sometimes complied with, by stopping the exchange with another paper, not beneficial to us—but more often refused, as being altogether a loss: for, besides, the reception of a paper imposes something like an obligation to make ourselves acquainted with its contents, and this in no small burthen on our time. The editor of the REGISTER believes, that, for the last twenty years (deducting any short periods in which he may have been absent from home), he has labored not less than an average of sixty hours a week—his health being generally such that he has hardly lost, in all that time, ten whole day's labor, because of any sort of indisposition, except in two accidents that he met with. At present, he is at the desk more than ten hours a day—a large part of which is given up to the necessary reading of hundreds of articles, the substance of which he desires to be acquainted with. The reception of every additional paper either adds to this labor, or diverts some portion of it—and constitutes a chief reason why it is prudent that his exchange list should be reduced rather than increased. Exchanges, however, are always made, on request, when "the difference" is paid—if such difference is sufficient to pay the actual *average cost* of his numbers issued.

This explanation is again made, because of respect to the members of the profession. Too many papers are already received—they make powerful invasions on time, "the most precious of all things" with men who have business to do. About 4,000 letters are annually received at this office—they are all looked over by the editor; and, while those on mere business are referred to his friend who has charge of such concerns, there are others, not less than from 1,000 to 1,500 a year, which he must answer himself—besides those on new business, sometimes, and many in friendly correspondence—which latter, by the way, he is compelled, and with great reluctance, much to postpone, or discontinue altogether, unless in rather uncourteous brevity.

BANK OF THE UNITED STATES. Just after the arrival of the president's message at Philadelphia, it seems that the shares of this bank, which had a few days before been selling for more than 130 dollars, were actually sold for 123!—But the vote in the house of representatives as to the reference of that part of the message, being virtually in resolute opposition to the opinions of the president, has raised the stock nearly to its former price.

We care not a straw for such speculations, or the speculators; but were much surprised that, after the very uncourteous reception of his suggestions at the last session, and by both branches of the legislature, the president renewed them, to the *same* congress. The charter of the bank does not expire until long after his own period of service; and surely, it will be time enough to determine whether it may be renewed or not, when the bank shall ask for an extension of its charter. There may be some good reason for such early, and repeated, presentations of the question, but a large part of the "*original*" friends of the president in congress seem wholly at a loss to discern it, as a careful looking at the yeas and nays will shew.

Never before did committees of *both* houses, and so constituted, act, as at the last session concerning the bank, and now again a fresh attention of the subject is voted down *instantur*, by a large majority of the house of representatives, in which there is a large majority of his political friends, so, *in fact*, that the president's recommendations should not be even considered! We would rather have a *president for life* than such a bank as is now suggested, though a great modification of the fearful power proposed in the former message. We should like to hear the "*state-rights*" folks—creatures of circumstances, speak on this subject. If, as good citizens, we shall give up our private opinion as to the constitutionality of this bank because that it has been settled in a constitutional way, we shall not be the less jealous of the power of such an institution, and will resist, to the utmost, any nearer association of it with the executive of the United States. We hate *nullification*, but have no love for *consolidation*. We well remember what has been, and have learned caution in oppression.

ELECTIONEERING OFFICERS. The "Schenectady Cabinet" says, that during the presidency of Mr. Jefferson, he caused the following circular to issue—

Circular. "The president of the United States has seen with dissatisfaction, officers of the general government, taking, on various occasions, active parts in elections of the public functionaries, whether of the general or of the state governments. Freedom of election being essential to the mutual independence of governments, and of the different branches of the same government, so vitally cherished by most of our constitutions, it is deemed improper for officers depending on the executive of the union to attempt to control or influence the free exercise of the elective right. This I am instructed therefore to notify to all officers within any department, holding their appointments under the authority of the president directly, and to desire them to notify to all subordinate to them. The right of any officer to give his vote at elections as a qualified citizen, is not meant to be restrained, nor, however given, shall it have any effect to his prejudice; but it is expected that he will not attempt to influence the votes of others, nor take any part

in the business of electioneering, that being deemed inconsistent with the spirit of the constitution, and his duties to it."

In his inaugural address, president Jackson gave us to expect a "correction of those abuses that have brought the federal government into conflict with the freedom of elections," &c. and such, no doubt, was his intention; but never since the days of the "black-cockade" were the polls so devotedly hugged by federal officers, in ordinary state, or county, or even ward elections. There were very few newly-made officers of the United States that were not active at the last election for delegates from this city to the legislature of Maryland, and some furiously so even at the election for *mayor!* Several were violent, and one having, or being supposed to have, a particular charge over certain persons, is understood to have *forced* them out to the polls, under very peculiar, if not cruel and disreputable circumstances. These facts, I suppose, will not be contested, and they are mentioned by way of record.

MAINE. The exact vote at the late election for a member of congress in this state, was not correctly reported to us. It now seems that Mr. Kavannah had 2,169 votes, Mr. Shaw 1,712, and that there were 256 scattering, majority for Mr. K.—201.

The "Eastern Argus" rejoices in this election as a triumph "in favor of the policy of the present national administration and the free trade system, which must convince Mr. Clay and his commercial-destroying partizans that they never can make head in this state" (Maine.)

RHODE ISLAND. We have the census of this state complete. The amount of the population is 97,216—in 1820, 83,059—increase 14,165, or at the rate of 16 per cent. in 10 years.

Counties.	1820.	1830.
Providence	35,736	47,014
Newport	15,771	16,534
Washington	15,687	15,414
Kent	10,228	12,788
Bristol	5,637	5,466
	83,059	97,216

Providence (the town) contains 16,832—increase since 1820, 5,065—and the town of Newport has 8,010, increase same time, 697. Providence, county or town, is the chief seat of the manufactures of the state—Newport has also *revived*, because of the establishment of some interesting employments for the people.

CONNECTICUT. We learn that the population of this state is found to be 297,726.

		Increase.
In 1790	237,947	
1800	251,002	13,056
1810	261,942	10.940
1820	275,248	13,306
1830	297,726	22,478

The dense population of this small state, will not permit a very large increase until certain others are more thickly settled, and tens of thousands of farmers, mechanics and manufacturers have left and are still leaving it, and may be found in every state west and south of their native land: yet in the last ten years, the increase was nearly as large as in the preceding twenty, doubtless caused by increased employment in the factories.

We long since estimated the population of Connecticut at 300,000 and that of Rhode Island at 95,000—together 395,000: the actual amount in these two adjoining states is 394,942, or fifty eight less than our estimate.

VERMONT. Mr. Everett, at the second trial, has been re-elected to congress, as follows—

For Mr. Everett (nat. rep.)	2,842
Ransom (anti-masonic)	1,912
Partridge (Jackson)	647

And a few scattering.

In the 4th congressional district, upon the second trial, the votes as far as heard from, stand, for Swift, (anti-masonic), 1,981; for Allen, (national republican), 1,939; for Baily, (Jackson), 1,659. It is most probable that a choice has not yet been made.

DELAWARE. The population of this state is ascertained as follows:

Counties.	1820.	1830.
New Castle	27,899	29,710
Kent	20,793	19,911
Sussex	24,057	27,118
	72,749	76,739

Increase in 10 years, 3,990—We supposed the population would amount to 80,000, in the present year.

NORTH CAROLINA. William P. Mangum, after many ballots, has been elected a senator of the United States from this state, in place of Mr. Iredell, who retires after the 4th March next. The ballots were considerably scattered until the 4th, when Mr. Mangum had 89, Mr. Owen, (present governor) 89, and 16 scattering. On the final ballot, Mr. M. had 103, and gov. Owen 84 votes.

MISSISSIPPI. Mr. Poindexter has been elected by the legislature of this state to supply the vacancy in the senate of the United States, caused by the decease of Mr. Adams.

THE RED RIVER. *Natchitoches, Nov. 5.* The bold, rapid, and until now unfathomable stream, Red river, which has for years walled on its tranquil bosom to the emporium of nations, the fruits of the prolific soil through which it glides, owing to the unparalleled drought with which we have been visited during the last summer, has changed the course which it has run for centuries past, and is at present, and has been for many days, flowing in a different direction. And notwithstanding all which circumstances, our village has been attended with excellent health, and our planters boast of much better crops than they have had for many years.

SUPREME COURT OF THE U. S. January term 1830—Rule: The court on the 2d day, in each term, hereafter, will commence calling the cases for argument, in the order in which they stand on the docket, and proceed from day to day during the term, in the same order; and if the parties, or either of them, shall be ready when the case is called, the same will be heard—and if neither party shall be ready to proceed in the argument, the cause shall go down to the foot of the docket, unless some good and satisfactory reason to the contrary shall be shown to the court.—That ten causes only shall be considered as liable to be called on each day during the term, including the one under argument, if the same shall not be concluded on the preceding day.—No cause shall be taken up out of the order on the docket, or be set down for any particular day, except under special and peculiar circumstances, to be shown to the court. Every cause which shall have been twice called, in its order, and passed, and put at the foot of the docket, shall, if not again reached during the term it was last called, be dismissed, and no longer continue on the docket.

Copy test,

WM. THOMAS CARROLL, *C. S. C. U. S.*

MR. CLAY. *The U. S. Telegraph says*—We learn from Kentucky, that Mr. Clay has gone to New Orleans for the double purpose of superintending the election of a senator in congress from that state, and of making a show of indifference as to the elections in Kentucky, to break the force of his own defeat, or give greater eclat to his triumph, should his well disciplined force be enabled to place him in the United States' senate!

WILLIAM B. GILES, esq., late governor of Virginia, and for many years a member of congress, or filling other important public offices, long afflicted by a severe malady, died at his seat in Albemarle county, Virginia, on the evening of the 4th inst. and suddenly, of a stroke of apoplexy—in the 69th year of his age.

MR. RANDOLPH. It is now stated that this gentleman has not resigned, but intends to return to Russia in the spring—and that his health is improving.

THE NULLIFIERS. The following toast was drank at a public dinner given at Pittsburg to Mr. Kennedy, on his recent appointment to the bench of the supreme court of Pennsylvania:

The nullifiers of the south—Like the prodigal son, may they soon return from the husks on which they have been feeding, and partake of the fat of their father's land.

MURDER AND PIRACY. As the brig Vineyard of Boston, was on her way to New York, from New Orleans, with a full cargo of sugar and molasses, and 50,000 dollars in specie, being off the capes of Delaware,—the crew, because of the money, murdered the captain, Thornbee, and the mate, Mr. William H. Robenson, in a most horrid manner, and threw them overboard before they were yet quite dead. They divided the money and placed it in their boats when off Long Island, scuttled and fired the brig, and made for the shore. One of the boats, with three men, and their share of the specie, was overset or sunk—their money perished with its wretched masters! the other boat, with five men, reached Flatbush, Long Island; where they buried a part of their money in the sand, after filling their pockets, &c. One of these discovered the infamous proceedings, having had no hand in them, and the whole were secured, &c. A small part only of the money has yet been found. The New York papers were filled with relations concerning this affair. It seems that the captain and his crew were strangers, previous to the shipment of the latter; but one of the crew, who was drowned, is said to belong to a respectable family in the United States. [*Omitted last week.*]

PITTSBURG is going on triumphantly, in the general success of the "American System." Her population and wealth is rapidly increasing. Between the 3d and 7th inst. there were twelve arrivals and eleven departures of steam boats; and lately, in one week, *five* new boats, built and fitted at that *port*, left on their first voyage—two of them beautifully furnished and in a much improved manner. It is worth mentioning, that ten of the boats, belonging to Pittsburg, are supplied with carpeting from the excellent factory of Mr. Given, at Carlisle. Thus one branch of the domestic industry is always linking itself unto others, and doing good to all and all persons.

"THE GLOBE," a new daily paper, was issued at Washington last week, edited by Mr. F. P. Blair, late editor of the Kentucky Argus. It will support the administration—and, *as it is said*, be opposed to the "Telegraph," in certain personal preferenees: and added, that Mr. Blair will be a candidate for the place of printer to congress.

DANGEROUS COUNTERFEITS. The following circular from the bank of the United States gives notice of some dangerous counterfeits of their notes—

Bank United States, December 8, 1830.

SIR—I lose no time in apprising you of the appearanee at our counter, yesterday and to-day, of three most dangerous imitations of our $100 branch note, Washington and Franklin heads in the margin, two purporting to have been issued by the Washiogton, and one by the Savannah office. The impressions are fainter, and the notes longer and broader than the original, but the filling and signatures are well executed. I send you annexed our engraver's deseription of the minuter differences. I am very respectfully, your obedient servant,

WM. ILVAINE, *cahier*.

The scroll at the top of the denomination dies is imperfect, and the white lines of those dies are less distinct than in the original. There is a marked difference between the two fancy heads of the marginal dies and those of the original notes, also in the heads of Washington and Franklin, the former appearing in the counterfeit more like an outline than a finished engraving. There is a want of uniformity in the marginal die work surrounding the heads, &c. The words "Bank of the United States," in the body of the note, are much less bold than the original. The same remarks will apply to the general appearance of the counterfeit.

[*N. Y. American.*

BRIEF NOTICES. The anti-masonic vote for speaker of the house of representatives of Pennsylvania, amounted only to 25.

An article on banks and currency, in the American Quarterly Review, is understood to be the production of Mr. Gallatin. It is favorable to the bank of the United States,

After a long contest, Mr. Miller was elected pro tem. speaker of the senate of Ohio, over Mr. King, (anti-ad.) which latter was several times within one vote of being elected. Mr. Bell, (anti-ad.) was elected speaker of the house of representatives—for Mr. Bell 40—Mr. Patterson (ad.) 27—Mr. Kerby (anti-ad.) 4.

The legislature of Missouri is not yet known to have elected a senator. It seems very uncertain who would be chosen.

Messrs. Rowan, Bibb, Test and Sevier, members of congress, were all much injured by upsetting of stages, when travelling towards Washington; but have all arrived there.

A great meeting has been held in the city of New York, to favor the election of Henry Clay to the presidency of the United States.

The bill for disposing of the Cherokee territory within the limits of Georgia, has passed the lower house of the legislature by a vote of 76 to 55. It provides for the survey of the lands and their division into tracts of 160 acres each, which tracts are to be distributed by lottery among the qualified citizens of Georgia.

From South Carolina, we learn that *James Hamilton*, jr. has been elected governor of that state. The votes, in jnint ballot of both branches of the legislature, were, for Mr. *Hamilton*, 93—for col. *Manning*, (formerly governor), 67—exhibiting only twenty-six votes majority for "going the whole."

The exact majority for gen. McArthur, as governor of Ohio, appears to be 1,660.

It seems probable that the population of Ohio does not exceed 900,000—being 100,000 short of the number at which it had been estimated. The body of emigration has been further west, and a good many persons even of Ohio, have thought they wanted more room!

Mr. Crittenden has been elected speaker of the house of representatives of Kentucky, without opposition.

Several ballots had been taken, without success, to elect a senator of the United States from Pennsylvania, after the 4th March next. Many candidates were proposed. Messrs. Denny, McKean and Hawkins, were the most prominent.

The population of North Carolina is about 750,000.

INTERESTING ITEMS.

Fatal duel. A New Orleans paper of November 3, says—B. Marigny's eldest son Gustavus, was killed in a duel 10 days ago, by young Lanusse. They fought ten minutes with the small sword, then resorted to pistols, exchanged shots without effect, and again renewed the small sword. After a few thrusts, they were both wounded. Lanusse dangerously and Marigny mortally. He died a few minutes after receiving the wound.

Grapes. The cultivation of the vine is extensively increasing. One hundred thousand pounds of grapes are said to be annually raised in the neighborhood of Boston.

Silk in Bavaria. Above two millions of sapling mulberry trees are thriving in Bavaria. A full grown tree yields a hundred pounds weight of leaves; but only one half is gathered in a season; so that the proprietors of these nurseries, if all the trees attain to maturity, will glean one hundred million pounds of leaves annually. The worms from a pound of eggs, when properly fed, consume half a ton of leaves, and yield at least fifty pounds of cocoons, or five pounds of wound silk.—The product of these two millions of trees, if nothing hinder their prospering, will therefore amount to five hundred thousand pounds weight of silk, in value from £500,000 to £1,000,000, sterling.

A natural conclusion. In the grand pageant of the 26th, the students of Columbia college made a very imposing and interesting appearance in the procession, dressed in their black gowns. After the procession had entered Washington square, and the students had taken their station near the stage, the mob, in defiance of all order, clambered by hundreds over the paling, and made a rush to get upon the stage. A *gang* of rude youngsters intruded upon the students, who, after submitting for some time to their taunts and insults, found it necessary, in self defence, to "floor" a few of the most troublesome, which was done very scientifically. Two Dutch lads from Bergen, standing a short distance, and observing the squabble, the eldest caught the younger by the hand and cried out: "Come along, Hons; dare is *drouple clost py.* Don't you zee all dem are ministers, mid their plack gowns on? They are *vighting yust like young tyvels!* [*N. Y. E. Post.*

Albany city and county. The city contains 24,216 inhabitants—the rest of the county 29,321—total 53,537. Increase since 1825, five years, 10,716—8,245 of which in the city only.

Count de Survilliers (Joseph Bonaparte) has sent to the editor of the New York Courier des Etas Unis, the sum of one hundred dollars for the Spanish emigrants in that city, and the same sum for the funds of the French benevolent society.

Raft of the Red river. This extraordinary obstruction to the navigation of a noble stream, is being removed under charge of lieut. Seawell, of the U. S. engineers, who has about 100 hands employed in the work, in pursuance of an act of congress appropriating $25,000 for the removal of the raft. If this raft is not *local*—we are at a loss to know what is! But we wish that its *locality* may be wholly destroyed.

In the New York procession, there was a barouche in which *Williams,* the only survivor of the captors of Andre—*Enoch Crosby,* the original *Harvey Birch*—*Anthony Glean,* an officer of the navy of the revolution, bearing the identical standard of the United States which was hoisted by him immediately on the British evacuating the city in 1783—and *Alex. Whaley,* was a great attraction; and these veterans seemed cheered and gratified by the attentions of which they were the objects. After them, came Mr. *John Van Norsdale,* on horseback. On the evacuation of the city in 1783, Mr. Van Norsdale pulled down the British flag, and ran the halliards with which Mr. Glean hoisted the American standard.

The extent of the procession may be gathered from the fact that 1,036 horses were employed in it.

The cotton factory, at Nassau, near Troy, has been destroyed by fire.

Michigan territory is in the full tide of success. Its population is estimated at 38,000 souls; and $95,000 have been received from the sale of public lands since April last. There are 60 physicians; as many lawyers; 28 clergymen, besides 5 missionary stations—*and no slaves.*

Singular fact.—There are now residing on Crane island, in the St. Lawrence, two families in the same house; of which the father of one is brother to the mother of the other. Each family has *five* children—in one *all* are sons, and *all deaf and dumb*; in the other *all* are daughters, and *all deaf and dumb*; making *ten* persons in one house all deaf and dumb; all cousins, and all the persons who are thus related. [*Conn. Mir.*

Hogs—twenty thousand are said lately to have been on the road at one time, marching for the District of Columbia.

Mr. Rhind's Arabian studs. It is now said that these valuable animals were not *presented* by the sultan to Mr. Rhind, and so will not have to be deposited in the office of the secretary of state!

Births extraordinary.—Doctor Graham, of Vittoria, an experienced accoucheur, in the London district, on the 5th ultimo, delivered the wife of Mr. Bennett, of Charlotteville, in said district, of three fine boys; who, as well as the mother, are doing well. The oldest is called "*Sir,*" the second "*John,*" and the third "*Colborne.*" Mr. Bennett being in indigent circumstances, it is expected that his excellency the lieutenant governor will give each of the boys a grant of land. At a previous birth Mrs. Bennett was delivered of twins.

[*Gore Upper Canada Balance.*

Splendid sight. Two hundred and forty-seven sail of vessels of all denominations, were seen from the observatory at 1 o'clock this day, all under way at the same moment of time.

[*Boston Transcript of Tuesday last week.*

Aged soldiers. A correspondent of the Nashville Republican states that in Franklin county, Tennessee, there are nine revolutionary soldiers, with all of whom he is acquainted; and of whom the youngest is sixty nine years old. The ages of the three eldest are, one hundred and four, one hundred and three, and ninety-nine. All are extremely poor.

New York city. The late census of this city is not yet fully added up, but it is thought that the whole population will be over 213,000! A greater increase than was expected.

TWENTY-FIRST CONGRESS—2d SESSION.

SENATE.

December 6. This day, at twelve o'clock, the roll having been called over by the secretary of the senate, (*Walter Lowrie*), the following members appeared in their seats:

From Maine—Mr. Holmes and Mr. Sprague.
From New Hampshire—Mr. Bell and Mr. Woodbury.
From Vermont—Mr. Seymour.
From Massachusetts—Mr. Silsbee.
From Rhode Island—Mr. Knight and Mr. Robbins.
From Connecticut—Mr. Foot and Mr. Willey.
From New York—Mr. Dudley.
From New Jersey—Mr. Dickerson and Mr. Frelinghuysen.
From Pennsylvania—Mr. Marks.
From Delaware—Mr. Naudain.
From Maryland—Mr. Chambers and Mr. Smith.
From Virginia—Mr. Tyler.
From North Carolina—Mr. Iredell and Mr. Brown.
From Georgia—Mr. Troup.
From Ohio—Mr. Burnet and Mr. Ruggles.
From Tennessee—Mr. Grundy and Mr. White.
From Indiana—Mr. Hendricks and Mr. Noble.
From Louisiana—Mr. Johnston.
From Illinois—Mr. Baker and Mr. Kane.
From Alabama—Mr. King.
From Missouri—Mr. Barton and Mr. Benton.
From Mississippi—Mr. Ellis and Mr. Poindexter.

A quorum being present, Mr. *Smith,* of Maryland, president pro tempore, in the absense of the vice president, took the chair, and called the senate to order, precisely at twelve o'clock.

The credentials of Mr. *Baker,* of Illinois, and Mr. *Poindexter,* of Mississippi, appointed members of the senate by the governors of their respective states, to fill vacancies occasioned by the death of Mr. McLean and Mr. Adams, were presented and read.

The credentials of Mr. *Forsyth,* elected by the legislature of Georgia to the senate, for six years from the 3d of March, 1831, were also presented and read.

On motion of Mr. *King,* of Alabama, it was

Ordered, That the secretary acquaint the house of representatives that a quorum of the senate is assembled and ready to proceed to business.

The secretary returned, and informed the senate that the other house had adjourned till to-morrow, at twelve o'clock.

On motion of Mr. *Holmes,* of Maine, the secretary was directed to supply the members with newspapers for the session, not exceeding in the price of three daily papers to each member.

The senate then adjourned until to-morrow at twelve o'clock.

December 7. A message was received from the house of representatives, informing the senate that a quorum of that house had assembled, and were ready to proceed to business.

On motion of Mr. *Woodbury,* of New Hampshire, the thirty-fourth rule of the senate was so far suspended, as to authorize this house, in the absence of the vice-president to appoint, by ballot, a chairman of the committee on finance.

The senate proceeded to ballot for a chairman of that committee, and Mr. *Smith,* of Md. was declared duly elected.

The following standing committees were then announced from the chair.

On foreign relations—Messrs. Tazewell, Sanford, White, Bell, King.

On finance—Messrs. Smith, of Md. Smith, of S. C. Silsbee, King, Johnston.

On commerce—Messrs. Woodbury, Johnston, Silsbee, Sanford, Forsyth.

On manufactures—Messrs. Dickerson, Ruggles, Knight, Seymour, Bibb.

On agriculture—Messrs. Marks, Willey, Noble, Brown, Seymour.

On military affairs—Messrs. Benton, Barnard, Troup, Naudain, Iredell.

On the militia—Messrs. Barnard, Frelinhuysen, Clayton, Noble, Bibb.

On naval affairs—Messrs. Hayne, Tazewell, Robbins, Livingston, Webster.

On public lands—Messrs. Barton, M'Kinley, Kane, Ellis, Sprague.

On private land claims—Messrs. Kane, Burnet, Poindexter, Grundy, Naudin.

On Indian affairs—Messrs. White, Troup, Hendricks, Dudley, Benton.

On Claims—Messrs. Ruggles, Bell, Chase, Foot, Brown.

On the judiciary—Messrs. Rowan, McKinley, Webster, Hayne, Frelinghuysen.

On the post office and post roads—Messrs. Grundy, Burnet, Forsyth, Ellis, Seymour.

On pensions—Messrs. Foot, Holmes, Marks, Chase, Chambers.

On the district of Columbia—Messrs. Chambers, Tyler, Holmes, Clayton, Sprague.

On the contingent fund—Messrs. Iredell, Baker, Knight.

On engrossed bills—Messrs. Marks, Willey, Baker.

On roads and canals—Messrs. Hendricks, Tyler, Ruggles, Dudley, Poindexter.

After appointing the usual committees to wait on the president, &c. who promptly reported, that the president would this day make a communication in writing—and the message, (as recorded in the proceedings of the house last week), being received—5,000 copies of the message, and 1,500 of the accompanying documents, were ordered to be printed for the use of the senate.

The bill authorizing a subscription to the Louisville and Portland canal, returned by the president with objections to it, was laid on the table.

The senate then adjourned till to-morrow.

December 8. The annual statement of the secretary of the senate, of the expenditures and contingent fund of this house, for the current year, was received, referred to the appropriate committee, and ordered to be printed.

Mr. *Bell*, of New Hampshire, presented several petitions from revolutionary soldiers, which were referred to the committee on pensions.

On motion of Mr. *Johnston*, of Louisiana, so much of the president's message as relates to finance, was referred to the committee on finance.

On motion of Mr. *White*, of Tennessee, so much of the message as relates to Indian affairs, was referred to the committee on Indian affairs.

On motion of Mr. *Grundy*, of Tennessee, so much of the message as relates to the post office department, was referred to the committee on the post office and post roads.

On motion of Mr. *Barton*, of Missouri, so much of the message as relates to the public lands, was referred to the committee on public lands.

On motion of Mr. *White*, of Tennessee, so much of the message as relates to the foreign relations of the country, was referred to the committee on foreign relations.

On motion of Mr. *Robbins* of Rhode Island, so much of the message as relates to naval affairs, was referred to the committee on naval affairs.

On motion of Mr. *Woodbury*, of New Hampshire, so much of the message as relates to commerce, was referred to the committee on commerce.

On motion of Mr. *Dickerson*, of New Jersey, so much of the message as relates to manufactures, was referred to the committee on manufactures.

On motion of Mr. *Chambers*, of Maryland, so much of the message as relates to the District of Columbia, was referred to the committee on the District of Columbia.

On motion of Mr. *Hendricks*, of Indiana, so much of the message as relates to roads and canals, and the improvement of the country, was refered to the committee on roads and canals.

On motion of Mr. *Troup*, of Georgia, so much of the message as relates to military affairs, was referred to the committee on military affairs.

The senate then adjourned till 12 o'clock to-morrow.

December 9. Several petitions were presented—

On motion of Mr. *Sanford*, of New York, it was

Resolved, That a select committee be appointed to consider the state of the current coins, and to report such amendments of the existing laws concerning coins as may be deemed expedient.

Mr. *Sanford*, Mr. *Dickerson*, Mr. *Iredell*, Mr. *Woodbury* and Mr. *Clayton*, were appointed this committee under the resolution.

A message was announced from the president of the United States, received by A. J. Donelson, esq. his private secretary. The president of the senate stated that it was on executive business.

[The doors of the senate were then closed half an hour.]

Mr. Ellis, of Mississippi, noticed the decease of his late colleague, *Robert H. Adams*, and pronounced a brief, but neat, eulogium of him. After which he proposed the following resolution which was unanimously adopted—

Resolved, unanimously, That the members of the senate, from a desire of showing every mark of respect to the memory of the honorable *Robert H. Adams*, deceased, late a senator of this body from the state of Mississippi, will go into mourning for one month, by wearing crape on the left arm.

Mr. *Kane*, of Illinois, then spoke of the decease of his late colleague, *John McLean*, and rendered a respectful tribute to his memory—after which a resolution, as in the case of the late Mr. Adams, was unanimously passed, and, in further respect for the deceased, the senate immediately adjourned until 11 o'clock, on Monday next.

December 13. Among others, Mr. *Sanford* presented a memorial from the passed midshipmen in the navy of the United States, complaining of the insufficiency of their pay, and praying for an increase of the same. The memorial was referred to the committee on naval affairs.

Mr. *Baker*, of Illinois, presented three resolutions. 1, to enquire into the expediency of establishing a number of mail routes in the state of Illinois—2, to enquire into the expediency of forming two additional land offices in the same state, defining the limits of their operation to certain districts, and for continuing in force certain acts for the relief of purchasers of the public lands. And 3d, to enquire into the expediency of making an appropriation to improve the harbor of Chicago, and of making a survey of the Kaskaskia river.

Another petition was presented on behalf of the owners of vessels sunk in the defence of Baltimore, in the late war. Referred.

Mr. *Chambers* presented a petition from Salvator Pinister, proposing to erect an allegorical temple, which he calls "Triumph of the United States, and a Monument of Washington," opposite the eastern front of the capitol, if patronised by congress. The petition was referred to the committee on the district of Columbia.

Messrs. *Woodbury*, *Robbins* and *Frelinghuysen* were appointed joint members of the library committee.

A message was received from the house of representatives, announcing the adoption by that house of a replication to the answer and plea of judge Peck to the article of impeachment exhibited against him by them.

At twelve o'clock the court of impeachment for the trial of judge *Peck*, of Missouri, was opened in due form, by proclamation from the marshal of the District of Columbia. The senators were ranged on two seats of benches, covered with green cloth, to the right and left of the chair occupied by the president of the senate.

On motion of Mr. *Woodbury*, the secretary was ordered to inform the house of representatives, that the senate had organized itself into a court of impeachment for the trial of James H. Peck, judge of the district court of the United States for the district of Missouri,

and were ready to proceed to the trial: and that seats had been prepared for the reception and accommodation of the members of the house of representatives on the occasion. [These seats consist of benches, covered with green cloth, and regularly arranged in a semi-circular form in the body of the senate chamber, presenting an uniform and handsome appearance.]

Shortly after the order was passed, the respondent, accompanied by Mr. *Wirt* and Mr. *Meredith*, his counsel, appeared at the bar of the senate. They were conducted to seats, with a table before them, prepared for their convenience, nearly fronting the chair, but rather to its left.

In a few minutes, Mr. *Buchanan*, Mr. *McDuffie*, Mr. *Spencer* and Mr. *Wickliffe*, managers to conduct the impeachment on the part of the house of representatives, also came in, and took their seats to the right of the chair, but nearly in front. Mr. *Storrs*, the other manager did not appear.

Mr. *Buchanan* rose and said, that the managers on the part of the house of representatives were ready to present the replication of that house, to the answer and plea of James H. Peck, judge of the district court of the United States for the district of Missouri, to the articles of impeachment exhibited against him by that body. The honorable gentleman then read the replication as follows:

"The house of representatives of the United States, having considered the answer and plea of James H. Peck, judge of the district court of the United States for the district of Missouri, to the articles of impeachment against him, by them exhibited, in the name of themselves, and of all the people of the United States, reply, that the said James H. Peck is guilty, in such manner as he stands impeached; and that the house of representatives will be ready to prove their charges against him, at such convenient time and place as shall be appointed for that purpose."

Mr. *Buchanan* then, on behalf of the managers, requested the names of the witnesses on the part of the house of representatives to be called. The secretary accordingly called them; most of them answered the call—two or three proved to be absent.

Mr. *Buchanan*, in answer to an enquiry from the chair, whether the managers were ready to proceed with the trial, said that it had been their anxious wish to proceed this morning; but that an unexpected accident would prevent it. Mr. Hempstead, a material witness, had, in travelling through New Jersey, had his collar bone broken. In attempting to remove him, it had again been broken. He was now, however, in Philadelphia, under medical care, and would be able in a few days to come on. Another reason for a postponement was, the absence of one of the managers, (Mr. *Storrs*), who was expected to-morrow. By Wednesday, he thought, they would be ready for trial. They did not expect the arrival of Mr. Hempstead by that day; but the examination of the other witnesses, and other proceedings, would occupy two or three days; and by that time Mr. Hempstead would probably arrive.

Mr. *Meredith*, one of the counsel of the respondent, desired that the list of witnesses on his behalf might be called, in order that it might be ascertained whether they were present. They were accordingly called, but only a part answered to their names.

The *president* enquired whether the respondent had any objection to the proposed postponement of the trial until Wednesday?

Mr. *Meredith* rose, and replied, that the counsel for the respondent had no objection to the postponement. Whether they would be ready for the trial by Wednesday, would depend on a matter which he would, at this time, take the liberty to mention to this honorable court. After the adjournment of the court at the last session, the respondent found that three witnesses, whom he deemed material for his defence, had been elected to the legislature of Missouri. Process, however, had been served upon them before they were elected.

They were subsequently of opinion that they could not attend here, because they considered their legislative duties as paramount to their duty as witnesses. Two of them were members of the senate of Missouri, and the third a member of the house of representatives. The legislature were to assemble in November, and would probably not adjourn till January. The respondent then addressed a memorial to the governor of that state, stating the circumstances of the case, and the materiality of the testimony of the witnesses who were members of the legislature; and he asked the governor to convene the legislature earlier than the usual period, in order that these members might, in good time, be enabled to perform the double duty of legislators and witnesses. The governor declined a compliance with this request. The respondent addressed a second memorial to the governor, and received a second refusal. As the only alternative left him, he then procured their depositions. Mr. Lawless was present when they were taken before a judge of the state of Missouri, and enjoyed the privilege of cross-examining them. The depositions were now in the possession of the secretary of this honorable court. The counsel for the respondent, as far as depended on them, were ready to proceed to the trial, if the managers on the part of the house would consent that those depositions should be received and read as evidence. Mr. *Meredith* cited a precedent to show that this course, with the consent of both parties, could be pursued. If the managers would not agree to let the depositions be read as evidence, he should then have another motion to make, which it would be time enough to mention after their decision should be ascertained.

Mr. *Spencer* considered the excuse of the respondent for the non-attendence of the witnesses in question as unsatisfactory. Their duty as witnesses in this court, was paramount to their duty as members of the legislature of Missouri. Waiving this object, however, the managers on the part of the house, would say to the counsel for the respondent, that if they would give them an opportunity to examine the depositions, they would then decide whether they could be received and read as evidence; and if they could be so received, the managers should be willing to dispense with the personal attendance of the witnesses. It required the production of no precedent to decide whether, with the consent of parties, a deposition could be received as evidence. That was a matter of course.

The counsel for the respondent assented to the proposition of the managers.

Mr. *Meredith* said, he had been mistaken. The depositions were still in the hands of the judge before whom they were taken, and who was here as a witness.

Judge *Carr* was then called and sworn. He testified that the depositions which he had just handed to the secretary, had been taken before him, as judge of the third judicial district of Missouri. Both parties were present when they were taken. He had then sealed them up, and they had been in his possession until this time.

Mr. *Meredith* said, that the counsel for the respondent would want copies of two of the depositions.

Mr. *Spencer* suggested, that if copies of the depositions were to be taken, it would probably be necessary to adjourn the court till Monday next.

The secretary was ordered to furnish copies of the depositions to both parties.

On motion of Mr. *King*, of Alabama, the secretary was then directed to inform the house of representatives, that the court for the trial of the impeachment of judge Peck had adjourned until Monday next at 12 o'clock, when they would be ready to proceed further with the trial.

The senate then adjourned till to-morrow.

December 14. Mr. *Bernard*, of Pennsylvania, Mr. *Chase*, of Vermont, Mr. *Clayton*, of Delaware, and Mr *Forsyth*, of Georgia, appeared yesterday and took their seats.

The message of the president, received yesterday, transmitted copies of the treaty of indemnity for spoliations with Denmark, which was ratified by the senate at the last session.

The *President* of the senate presented the following memorial, which was read and referred to the committee on roads and canals:

To the senate and house of representatives of the United States, in congress assembled:

The memorial of the Baltimore and Ohio rail road company respectfully represents, that your memorialists

have, in the prosecution of the work in which they are engaged, completed and put in operation a rail way upon the first division of their road, extending a distance of thirteen miles, over, as they believe, the most extensive and difficult part of the entire line between the city of Baltimore and the Ohio river. The construction of the road upon the remaining distance between that city and the Potomac river, embracing about fifty miles, is also in such forwardness as to warrant your memorialists in believing that it will be completed with one set of tracks to the "Point of Rocks," by the end of the year 1831. A branch rail way to the city of Frederick, it is also expected will be finished within the same time.

Your memorialists further represent, that, from actual experiments, made upon that portion of their road now, and during the last six months in daily operation, as well as from experiments on similar works in Europe, it has been fully demonstrated, that, by means of locomotive steam power, railways afford a more efficient, economical, and expeditious conveyance, both for passengers and merchandise, than any other mode hitherto discovered by human ingenuity.

Induced by these considerations, and believing that the requisite funds can be provided without interfering with the progress of the main line of their road to the Ohio river, your memorialists have decided to avail themselves of the privilege conferred by their charter to construct a lateral or branch railway from some eligible point on the road now completed, to the District of Columbia, adapted to the use of locomotive steam engines, by which they calculate that the distance between Washington and Baltimore may be safely passed within two hours, or even within less time, and at an expense greatly below the present cost.

A railway is now under construction across the peninsula between the Chesapeake and Delaware bays, which, when completed, will establish a communication between Baltimore and Philadelphia within nine or ten hours. The time of passage between Washington and Philadelphia will, therefore, aided by the work contemplated by your memorialists, then be reduced to less than twelve hours; and when the same mode of conveyance, now in contemplation between Philadelphia and New York shall be established, that distance may be passed in eight hours more. The speed and facility of intercourse, which will thus be obtained between the seat of the general government and those three great commercial emporiums, cannot fail to be of the highest importance to the whole nation.

Your memorialists, therefore, request that they may be authorised by congress to continue the projected branch or lateral railway from the line of the District of Columbia, to such point or points within the same, as shall be found most eligible and convenient to the public, with the same privileges and powers as have been accorded to them by the concurrent acts of the states of Pennsylvania, Maryland and Virginia.

Several petitions of a private or local nature, were presented and referred.

On motion of Mr. *Dickerson*, the following resolution was adopted, and the committee to whom it was referred consists of Mr. *Dickerson*, Mr. *Sanford*, Mr. *Woodbury*, Mr. *Seymour* and Mr. *Grundy*:

Resolved, That so much of the president's message as relates to the distribution of the surplus funds of the United States, after the payment of the national debt, be referred to a select committee, to consist of five members, and to report thereon by bill or otherwise.

Mr. *Benton* introduced a bill to authorise the mounting and equipment of a part of the army not exceeding ten companies, which was ordered to a second reading.

The rev. *Henry Van Dyke Johns* was elected chaplain to the senate for the current session.

The resolutions offered yesterday by Mr. *Baker* were agreed to.

The senate spent some time in executive business—and then adjourned.

December 15. Mr. *Sanford* made a report to regulate the value of gold coins, with a bill—both which we expect to publish. [The object, we believe, is to raise the the value of gold, as compared with silver, to the European standard, that our own eagles, and their parts, may remain for the home-circulation—an object very desirable, and especially in the present prospect of obtaining home-supplies of the precious metal.]

Many resolutions were offered of a miscellaneous or private character.

The senate took up for consideration the following resolution, which was yesterday submitted by Mr. *Clayton*:

Resolved, That a committee be appointed to examine and report the present condition of the post office department, in what manner the laws regulating that department are administered; the distribution of labor; the number of clerks, and the duties assigned to each; the number of agents; where and how employed; the compensation of contractors; and, generally, the entire management of the department; and whether further, and what legal provisions may be necessary to secure the proper administration of its affairs.

This produced a considerable debate. Mr. *White* wished it referred to the committee on post-offices and post-roads. Mr. *Clayton* objected, because of their numerous duties. Mr. *White* supported his opinion as to the reference. Mr. *Holmes* favored the reference to a special committee, and, among other things said—It had been understood that a new bureau for removals and appointments had been established in the post office department; a bureau, which, for brevity, might be called the bureau of proscription. It has had a good deal to do: It has done a good deal. Its business must be nearly at an end. All had probably been touched by it, whom it could well lay its hands on. Its services might now perhaps be dispensed with. He also hoped that the time would soon come when the department could pay all the expenditures with the receipts of the year. It appeared that upwards of eighty thousand dollars had been taken out of the surplus fund to defray the expenses. He admitted that this fund had been also heretofore diminished; but he trusted that it might not be hereafter necessary to apply to it.

Mr. *Grundy*, a member of the post-office committee, expressed indifference as to the disposition of the resolution—but if its consideration were assigned to that committee, he would be willing to engage in it, &c. Mr. *Holmes* rose again, and supported what he had previously said—he thought it well that the senate should take a "peep behind the executive curtain"—that mistakes, errors and abuses might have crept into the post-office department, &c. Mr. *Noble* spoke severely of complaints against this department, and made pretty direct charges of mal-administration; the sooner the Augean stable was cleansed the better. Mr. *Bell* spoke of many complaints against this department—they deserved attention; it was due to all parties that a special committee should be appointed, &c. Mr. *King* was no apologist for any department, and said that the head of the post-office establishment would not shrink from any enquiry—but urged the reference of the resolution to the post-office committee. Mr. *Clayton* expressed a hope, that gentlemen would not suppose that he wished to take this enquiry from the committee on the post-office and post-roads, because of any want of confidence in them. He had no such idea. Because he had confidence in that committee, did it follow that this special and laborious investigation should be referred to them? The same argument would apply with equal force against the reference of any other proposition to a special committee. Were not other standing committees composed also of honorable men? The objection, if it were sound, would apply on all occasions, &c. Mr. *King* made a few remarks, to which Mr. *Clayton* rejoined. Mr. *White* thought there was nothing in this resolution to take it out of the general rule—that the post-office committee had as much leisure as any other, and was familiar with the business of the department, &c. Mr. *Chambers* was for a select committee:

He believed that if a standing committee had even taken up any subject like that contemplated by the resolution, a knowledge of it had never passed beyond the walls of the room in which they had deliberated. Duties specifically belonging to a standing committee, should go to it as a matter of course; but the proposed enquiry was one which was peculiarly appropriated to a special committee. He did not mean to compliment—all the members on this floor stood on an equal footing. His objection was not to the integrity of the post-office committee; but they had not been selected with a view to this

investigation. This was a question of selection; and he should vote for the resolution as offered by his honorable friend from Delaware.

The question on the motion to amend, so as to refer the resolution to the committee on the post office and post roads, was taken by yeas and nays, and the vote was 18 yeas, and 20 nays, as follows:

YEAS—Messrs. Baker, Benton, Brown, Dickerson, Dudley, Ellis, Grundy, Hendricks, Iredell, Kane, King, Poindexter, Sanford, Smith, of Md Troup, Tyler, White, Woodbury—18.

NAYS—Messrs. Barton, Bell, Burnet, Chambers, Chase, Clayton, Foot, Frelinghuysen, Holmes, Johnston, Knight, Marks, Naudain, Noble, Robbins, Ruggles, Seymour, Silsbee, Sprague, Willey—20.

The original resolution, as offered by Mr. *Clayton*, was then adopted.

Mr. *Bell* then moved that a committee of five be appointed by ballot, to take charge of the resolution.

Mr. *Grundy* enquired of the chair what was the rule of the Senate, in relation to the appointment of committees?

The *president* read the rule, by which it appeared that the power to appoint committees belonged to the chair. That power, however, could be exercised by the senate, by unanimous consent.

Mr. *Grundy* said that would *not* be given.

Mr. *Foot* asked whether the rule of the senate could not be altered or amended?

Mr. *King* replied, that it could, by giving a day's notice.

Here the conversation ended, and the *president* announced the appointment of Mr. *Clayton*, Mr. *Grundy*, Mr. *Holmes*, Mr. *Woodbury*, and Mr. *Hendricks*, as the committee.*

The other proceedings of the senate will sufficiently appear in future details.

December 16. The annual report of the secretary of the treasury was received—and sundry petitions and resolutions presented, not of present interest; and the senate spent some time in executive business.

HOUSE OF REPRESENTATIVES.

Monday, Dec. 6. At 12 o'clock precisely, the roll of members was called over by the clerk of the house, (*Matthew St. Clair Clarke*), and it appeared that the following members were present, viz:

From Maine—Messrs. Anderson, Butman, Evans, Holland, Jarvis, McIntire and Wingate.

From New Hampshire—Messrs. Broadhead, Chandler, Hammons, Harvey, Hubbard and Weeks.

From Massachusetts—Messrs. Bailey, Crowninshield, Dwight, Grennell, Kendall, Reed, Richardson and Varnum.

From Rhode Island—Mr. Pearce.

From Connecticut—Messrs. Barber, Ellsworth, Huntington, Ingersoll, Storrs and Young.

From Vermont—Messrs. Cahoon, Everett, Hunt, Mallary and Swift.

From New York—Messrs. Angel, Arnold, Beekman, Bockee, Borst, Cambreleng, Childs, Crowles, Crocheron, De Witt, Dickinson, Eager, Earll, Finch, Halsey, Hoffman, King, Lent, Martindale, Maxwell, Monell, Norton, Powers, Rose, Sanford, Spencer, Strong, Taylor, Tracy, Verplanck and White.

From New Jersey—Messrs. Condict, Cooper, Hughes, Pierson, Randolph and Swann.

From Pennsylvania—Messrs. Buchanan, Crawford, Denny, Evans, Ford, Fry, Gilmore, Green, Hemphill, Ihrie, Irwin, Leiper, Marr, McCreery, Muhlenburg, Ramsay, Scott, Sill, Smith, Stephens, and Sterigere.

From Delaware—Mr. Johns.

From Maryland—Messrs. Brown, Dorsey, Mitchell, Semmes, Washington and Wilson.

From Virginia—Messrs. Alexander, Allen, Archer, Armstrong, Barbour, Claiborne, Coke, Craig, Draper, Gordon, Loyall, Maxwell, McCoy, Mercer, Patton, Roane, Taliaferro and Trezvant.

From North Carolina—Messrs. Alston, Barringer, Carson, Conner, Hall, Shepard, Shepperd, Speight and Williams.

From South Carolina—Messrs. Blair, Drayton, Nuckolls and Tucker.

From Georgia—Messrs. Foster, Haynes, Lamar, Lumpkin, Thompson and Wayne.

From Kentucky—Messrs. Chilton, Clark, Daniel, Gaither, Johnson, Kincaid, Lecompte, Letcher, Lyon, Wickliffe and Yancey.

From Tennessee—Messrs. Bell, Blair, Desha, Johnson, Lea, Polk and Standifer.

From Ohio—Messrs. Bartley, Crane, Findlay, Irwin, Kennon, Leavit, Russell, Shields, Stanberry, Thomson, Vance, Vinton and Whittlesey.

From Louisiana—Messrs. Overton and White.

From Indiana—Messrs. Boon and Jennings.

From Mississippi—Mr. Hinds.

From Illinois—Mr. Duncan.

From Alabama—Messrs. Baylor, Clay and Lewis.

From Missouri—Mr. Pettis.

DELEGATES.

From the Michigan territory—Mr. Biddle.

From the Florida territory—Mr. White.

The clerk having announced that a quorum of the house was present—

Mr. *Archer*, of Virginia, rose and said that he was requested by his colleague, the *speaker* of this house, to state, that he was prevented from attending by indisposition; but that he expected to be able to reach this city before the usual hour of sitting of the house to-morrow. A gentleman who had arrived in the city in this morning's mail-boat, brought information that he passed the speaker yesterday on his road to this place. In anticipation of the question which might be presented by the absence of the speaker, Mr. A. said he had looked to the records, to ascertain what had been the practice of the house on like cases heretofore. He found that it had been two-fold; in one or more cases, the house having, on the absence of the speaker, adjourned from day to day, and in two cases occurring in one year, (1798) having elected a speaker *pro tempore*. He had risen, he said, only to make the communication which he had done from the speaker, and to state what had been the practice heretofore. It would be for the house to determine what course it would pursue on the present occasion.

Mr. *Polk*, of Tennessee, said, after the communication which had just been made to the house, it being probable that the speaker would be here to-morrow, he should propose that the house do now adjourn until to-morrow.

The question was taken on this motion, and decided in the affirmative.

So the house adjourned.

Tuesday, Dec. 7. The *speaker* (Mr. *Stevenson*, of Virginia) being present this day, took the chair at 12 o'clock. Mr. *Hodges*, from Massachusetts; *Sutherland* and *King*, from Pennsylvania; *Sprigg* and *Spencer*, from Maryland; *Davenport*, from Virginia; *McDuffie* and *Davis*, from South Carolina; *Coleman*, from Kentucky, and *Creighton*, from Ohio, appeared this day.

The journal of yesterday having been read, the members elected since the last session were sworn in; to wit: Messrs. *Holland* and *Jarvis*, from Maine; *Eagen* and *Sanford*, from New York; *Draper* and *Patton*, from Virginia; and *Leavitt*, from Ohio.

Messages were then interchanged between the two houses, that they were respectively ready to proceed to business, &c.

On motion of Mr. Taylor, of New York, it was determined that two chaplains should be appointed, as usual,

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*It has been a rule, in all bodies, we believe, and certainly there is *all right*, and *every reason* in it, that when, after discussion and decision, it has been resolved to appoint a committee to accomplish a certain object, that a majority of such committee should be composed of those who had supported such reference—else the power may yet remain with a minority of the body, to defeat the views of the majority, and suppress the facts hoped to have been elucidated. We do not impute any such thing to the president of the senate *pro tem.*—but the whole proceedings, in regard to Mr. Clayton's resolution, are of an *extraordinary* character. Three of the committee voted against this resolution. ED. REG.

of different denominations, to interchange weekly between the two houses.

The daily hour of meeting was fixed at 12 o'clock, until otherwise ordered.

The message of the president of the United States was then brought in by his private secretary, Mr. *Donelson*, read, and ordered to be printed—referred to a committee of the whole on the state of the union.

Wednesday, Dec. 8. In addition to those heretofore announced, the following members appeared to-day, and took their seats, viz.

From New York, Mr. *Magee;* from Pennsylvania, Mr. *Miller;* and Mr. *Dudley*, from N. Carolina.

Mr. *J. W. Taylor* submitted the following resolution:

"*Resolved*, That the standing committees be now appointed, pursuant to the rules and orders of the house."

Mr. *Hoffman* remarked, that the speaker did not arrive till yesterday; that he had been, and still was, laboring under a painful indisposition; and he, therefore, moved that the resolve lie on the table, to allow him further time to make a selection of the committees.

Mr. *Taylor* hoped that his colleague would withdraw his motion for the present, to give him an opportunity to explain the reasons which had induced him to offer the resolution.

Mr. H. having withdrawn his motion.

Mr. *Taylor* observed, that yesterday the message of the president had been referred to a committee of the whole house on the state of the union, and he supposed the house would this day resolve itself into a committee of the whole on the message of the president. Before going into committee, the standing committees must be appointed; for the committee of the whole could come to no resolutions for referring the different subjects contained in the message, until the standing committees *were* appointed. If, however, it was the wish of the speaker to defer the appointment of the standing committees of the house, he certainly should not object to it.

Mr. *Hoffman* entirely concurred with his colleague as to the propriety of appointing the standing committees before taking up the message for distribution to committees, but again referred to the short time the speaker had been in the city, and his late severe and continued illness. Mr. H. concluded by again moving that the resolution lie on the table.

After a few words from the *speaker*, intimating that he had the physical power to make the appointments, but that he had not yet received a list of the members who had taken their seats.

The question was put on the motion of Mr. *Hoffman*, and decided in the affirmative.

After which the house adjourned.

Thursday, Dec. 9. Messrs. *Gorham*, of Massachusetts, *Howard*, of Maryland, *Potter*, of North Carolina, and *Barnwell*, of South Carolina, appeared and took their seats.

It was agreed that the standing committees of the house should now be appointed. They will probably be reported to-morrow.

On motion of Mr. *Hoffman*, the house then resolved itself into a committee of the whole on the state of the union, Mr. *Wickliffe* in the chair.

Mr. *Hoffman* moved the following resolutions:

1. *Resolved*, That so much of the president's message as relates to the political relations of the United States with foreign nations, be referred to the committee on foreign affairs.

2. *Resolved*, That so much of said message as relates to the commerce of the United States with foreign nations and their dependencies; and so much of said message as relates to light houses, beacons, buoys, public piers, and the removing of sand bars, sawyers, and other partial or temporary obstructions in the navigable rivers and harbors in the revenue districts, be referred to the committee of commerce.

3. *Resolved*, That so much of the said message as relates to the subscribing to the stock of private companies for internal improvement; and so much of the said message as relates to the distribution among the several states of the surplus revenue, after the payment of the public debt, be referred to a select committee.

4. *Resolved*, That so much of the said message as relates to an amendment of the constitution of the United States, respecting the election of president and vice president, and so much thereof as relates to the choice of the chief magistrate directly by the people, his disqualification for re-election after a single term of service, and the direction of his patronage in relation to the members of the federal legislature, and the tenure of offices generally, be referred to a select committee.

5. *Resolved*, That so much of the said message as relates to the Indian tribes, be referred to the committee on Indian affairs.

6. *Resolved*, That so much of the said message as relates to the public debt, the revenue, its security, and collection, the bank of the United States, and the organization of a bank founded on public and individual deposites, be referred to the committee of ways and means.

7. *Resolved*, That so much of the said message as relates to the tariff of duties on imports, be referred—so much thereof as respects manufactures to the committee on manufactures—so much thereof as respects the productions of agriculture, to the committee on agriculture; and the residue thereof, respecting commerce and other interests, to the committee on commerce.

8. *Resolved*, That so much of the said message as relates to the public lands be referred to the committee on the public lands.

9. *Resolved*, That so much of the said message as relates to the public interests entrusted to the war department, and as relates to the army, arsenals, fortifications, and the armaments necessary therefor, be referred to the committee on military affairs.

10. *Resolved*, That so much of the said message as relates to the navy and naval service of the United States, be referred to the committee on naval affairs.

11. *Resolved*, That so much of the said message as relates to the post office department and its revenue, and the transportation of the mail, be referred to the committee on the post office and post roads.

12. *Resolved*, That so much of the said message as relates to the office and duties of the attorney general; and so much thereof as relates to debts due the United States from insolvents, be referred to the committee on the judiciary.

13. *Resolved*, That so much of the said message as relates to the District of Columbia, be referred to the committee for the District of Columbia.

14. *Resolved*, That the said select committees have leave to report by bill or otherwise.

After some conversation, the first and second resolutions were adopted—the third divided and referred to two committees, and the fourth and fifth adopted.

The sixth resolution was then read, as above.

Mr. *Wayne* moved to amend the said resolution, by striking out the words "the bank of the United States, and the organization of a bank founded on public and individual deposites;" and at the end of the said resolution to add the following:

"And that so much of the said message as refers to the bank of the United States, and to the organization of a bank as a branch of the treasury department, be referred to a select committee."

Mr. *Taylor* moved for a division of the question, as to striking out—decided in the negative, only 54 voting for it. The remainder of the resolutions were then agreed to.

The committee rose, and reported the resolutions as amended to the house.

The question being stated from the chair to agree to the resolutions, as amended in committee.

Mr *Wayne* moved that the question be put on agreeing to all but the sixth.

No objection being made, the question was so taken, and all the resolutions were agreed to by the house, with the exception of the 6th.

Mr. *Wayne* now renewed the motion which he had made in committee of the whole.

Mr. *Wayne* in supporting this motion, apologized for troubling the house with a remark or two on this topic, at so early a period of the session. The first communication made to congress by the present executive, (at the last session), intimated a doubt in his mind, as to the propriety of rechartering the existing bank of the United States. The portion of his message on this subject had been referred to the committee of ways and means, who submitted to the house a report, in which they exhibited at great length their views, which were opposed to those expressed by the president. Should the present portion of his message be referred to the same committee, unless some great and unexpected change had taken place in their opinions since the last session, the subject would be met by men whose minds were already made up, whose sentiments had been publicly expressed, and who therefore could not be expected to give it that fair and unbiassed consideration which its great importance demanded. The importance of the question touching the bank must be acknowledged by every one, as well as its agitating effect on the public mind, throughout every portion of the union. He conceived it as only respectful to the president, when such a subject was by him officially recommended to the attention of congress, to place it in such an attitude as should secure to it a calm investigation by persons who had not prejudged it. Mr. W. said he should not disguise the fact that his own views in relation to the re-

chartering of the present bank were such as would induce him to vote against it in every event; but what he wished at present was, that the house might ascertain whether it was practicable or not to organize an institution resting on the funds of the country, which, while it secured all the advantages intended to be attained by the existing bank, should avoid the dangers with which that establishment was by many conceived to be fraught.—The inclination of his own mind was to the opinion that this *was* practicable; but he desired, at all events, that the question should be submitted to those, who would go to its discussion untrammelled by any previous judgment. It was not from any feeling of hostility to the bank that he was induced to desire this, but from a wish for fairness in the treatment of the subject itself, and from respect to a communication made to congress by the chief magistrate.

Mr. *Chilton* made a few remarks—he saw no reason why this matter should be taken from the charge of the committee of ways and means. He was not for or against the bank, but thought this the proper direction of the subject. Mr. *Condict* moved that the question should be decided by yeas and nays—agreed to. Mr. *Davis*, of S. C. moved to refer simply the question concerning the present bank, without the establishment of a substitute for it, to the consideration of a select committee. This motion was negatived. Mr. *Taylor* hoped that that part of the message would go to the committee of ways and means, for reasons which he assigned. Mr. *Hoffman* supported his original proposition, and seemed about to enter upon the merits of the measures proposed in the message, when he was checked by the chair—he then further advocated the reference that he had suggested. Mr. *Wayne* again rose, professing all respect for the committee of ways and means, but thought it would not be *respectful to the chief magistrate* to send this subject again to that committee, who had made up their opinion on it, &c. and he spoke pretty much at large as to the facts that might be developed by a select committee, as tending to shew whether the measures suggested by the executive were practicable or not. Mr. *Cambreleng* opposed the proposition of Mr. *Wayne*, but chiefly because he viewed the whole subject as *premature*, when the bank applied for a new charter, he should be for sending it to a select committee.

The question was then taken on the motion of Mr. *Wayne*, and decided in the negative, by yeas and nays, as follows:

YEAS—Messrs. Alexander, Allen, Angle, Barnwell, Baylor, Bell, James Blair, John Blair, Boon, Borst, Broadhead, Carson, Chandler, Claiborne, Clay, Coke, Conner, Daniel, Davenport, Warren R. Davis, Earll, Findlay, Ford, Foster, Fry, Gaither, Gordon, Hall, Halsey, Hammons, Haynes, Hinds, Leonard Jarvis, Cave Johnson, Kennon, Perkins King, Lamar, Lea, Leavitt, Lecompte, Lewis, Loyall, Lumpkin, Thomas Maxwell, Monell, Norton, Nuckolls, Pettis, Polk, Potter, Powers, Rencher, Roane, Sanford, Scott, Aug. H. Shepperd, Shields, Standefer, Taliaferro, Willey Thompson, John Thomson, Trezvant, Tucker, Wayne, Weeks, Wickliffe, Yancey—67.

NAYS—Messrs. Alston, Anderson, Arnold, Bailey, Barber, Barringer, Bartley, Beekman, Bockee, Brown, Buchanan, Butman, Cahoon, Cambreleng, Chilton, Clark, Coleman, Condict, Cooper, Cowles, Craig, Crane, Crawford, Creighton, Crocheron, Denny, Dickinson, Draper, Drayton, Dudley, Duncan, Eager, Ellsworth, George Evans, Joshua Evans, Horace Everett, Finch, Gilmore, Gorham, Green, Grennell, Harvey, Hemphill, Hodges, Hoffman, Holland, Howard, Hughes, Hunt, Huntington, Ingersoll, Irwin, Irvin, Jennings, Johns, Kendall, Kincaid, Adam King, Lent, Letcher, Lyon, Magee, Mallary, Marr, Martindale, Lewis Maxwell, McCreery, McIntire, Mercer, Miller, Mitchell, Mohlenburg, Overton, Patton, Pearce, Pierson, Randolph, Reed, Richardson, Rose, Russel, Wm. B. Shepard, Semmes, Sill, Smith, Speight Ambrose Spencer, Sprigg, Stanberry, Sterigere, Storrs, Strong, Sutherland, Swann, Swift, Taylor, Tracy, Vance, Varnum, Verplanck, Vinton, Washington, Whittlesey, Ed. D. White, Williams, Wilson, Wingate, Young—108.

So the house refused to amend the resolution; and the resolution, as reported by the committee of the whole, was agreed to.

The house then adjourned.

Friday, Dec. 10. The following additional members appeared this day, and took their seats, viz:

From Massachusetts, *Isaac C. Bates;* from Pennsylvania, *Richard Coulter* and *Chauncey Forward.*

A number of petitions were presented and a great number of resolutions offered—generally of a private or local nature, which will sufficiently appear in due season, acted on—and referred to the various committees.

The following committees were announced this day to have been appointed by the *speaker*, in pursuance of the resolution of yesterday.

Standing committees.

Of elections. Messrs. Alston, Tucker, Claiborne, Randolph, Johnson, of Tenn. Buchanan and Coleman.

Of ways and means. Messrs. McDuffie, Verplanck, Dwight, Ingersoll, Gilmer, Overton and Alexander.

On claims. Messrs. Whittlesey, Williams, McCoy, Barber, of Conn. McIntire, Ramsay and Lea.

Of commerce. Messrs. Cambreleng, Gorham, Harvey, Sutherland, Howard, Loyall and Lamar.

On the public lands. Messrs. Wickliffe, Jennings, Duncan, Hunt, Potter, Irvin, of Ohio, and Clay.

On the post office and post roads. Messrs. Johnson, of Ken. Conner, Magee, Hodges, Russell, McCreery and Lent.

On the District of Columbia. Messrs. Powers, Allen, Washington, Varnum, Taliaferro, Ihre and Semmes.

On the judiciary. Messrs. Buchanan, Davis, of S. C. Ellsworth, Daniel, White, of Lou. Foster and Gordon.

On revolutionary claims. Messrs. Burgess, Dickinson, Wingate, Yancey, De Witt, Brown and Crane.

Of public expenditures. Messrs. Hall, Davenport, Lyon, Halsey, Spencer, of Md. Thompson, of Ohio, and Norton.

On private land claims. Messrs. Sterigere, Nuckolls, Pettis, Baylor, Denny, Dudley and Draper.

Of manufactures. Messrs. Mallary, Stanbury, Condict, Irvin, of Penn. Monell, Barbour, of Va. and Huntington.

Of agriculture. Messrs. Spencer, of N. Y. Roane, Wilson, Rose, Smith, of Pa. Standifer and Chandler.

On Indian affairs. Messrs. Bell, Lumpkin, Hinds, Storrs, of Conn. Hubbard, Gaither and Lewis.

On military affairs. Messrs. Drayton, Vance, Desha, Findlay, Blair, of S. C. Mitchell and Speight.

On naval affairs. Messrs. Hoffman, Crowninshield, Miller, Carson, Dorsey, White, of N. Y. and Anderson.

On foreign affairs. Messrs. Archer, Everett, of Mass. Taylor, Polk, Crawford, Barnwell and Wayne.

On the territories. Messrs. Clark, Strong, Creighton, Armstrong, Angle, Cowles and W. B. Shepard.

On military pensions. Messrs. Trezvant, Lecompt, Chilton, Hammons, Bockee, Ford and Butman.

On revisal and unfinished business. Messrs. Pearce, Reed and Pierson.

On accounts. Messrs. Maxwell, of N. Y. Swann, and Broadhead.

Select committees.

On internal improvement. Messrs. Hemphill, Mercer, Blair, of Tenn. Haynes, Letcher, Vinton and Craig.

Distribution of the surplus revenue. Messrs. Polk, Patton, Fry, Earll, Jarvis, Leavitt and Evans, of Maine.

Amendment to the constitution. Messrs. McDuffie, Coke, Sanford, Stephens, Hughes, Green and Rencher.

[All these committees are substantially the same as last year.]

Monday, Dec. 13. Mr. *Doddridge*, of Virginia, and Mr. *Hawkins*, of New York, appeared and took their seats to-day.

Many petitions and memorials were presented, and referred.

The house, on the instance of Mr. *Buchanan*, agreed to an answer to the plea of judge *Peck*, as given in the proceedings of the senate.

Many resolutions were submitted, which will appear hereafter, as acted on—among them,

By Mr. *C. P. White*—

Resolved, That the secretary of the treasury be requested to communicate to this house, first, a statement of the quantity of sugar (distinguishing Muscovado from clayed) imported annually into the United States, from the 30th September, 1815, and the amount of duty collected upon the same. Second, a statement of the quantity of sugar exported in each year, and the amount of drawback paid upon the same, specifying the quantity of Muscovado, clayed, and refined sugar exported, and the drawback paid on each description respectively.

On motion of Mr. *Doddridge*, it was

Ordered, That the bill to authorize a subscription of stock, on the part of the United States, in the Wheeling and Belmont bridge company, be recommitted to the committee on internal improvements, with instructions to report a bill to provide for the erection of a bridge over the Ohio river, at or near the town of Wheeling, and appropriating a certain sum of money for that purpose.

Mr. *Haynes*, of Georgia, submitted the following resolution:

Resolved, That the committee of ways and means be instructed to enquire into the expediency of repealing the duties on sugar imported from foreign countries into the United States.

Mr. *Sutherland* required that the question be taken upon the consideration of the resolution; and Mr. *Williams* demanded the yeas and nays on the question. They were ordered by the house, and being taken stood as follows:

YEAS—Messrs. Alexander, Alston, Anderson, Angel, Archer, Armstrong, Barbour, Barnwell, Barringer, Taylor, Bell, James Blair, John Blair, Boon, Broadhead, Brown, Cambreleng, Campbell, Carson, Claiborne, Clay, Coke, Conner, Craig, Crocheron, W. R. Davis, Desha, De Witt, Draper, Drayton, Dudley, Earll, Gaither, Gordon, Hall, Halsey, Hammons, Harvey, Haynes, Hinds, Holland, Hoffman, Hubbard, Jarvis, Jennings, Cave Johnson, Lamar, Lea, Lecompte, Lent, Lewis, Loyall, Lumpkin, Thomas Maxwell, McDuffie, McIntire, Mitchell, Monell, Nuckolls, Patton, Pettis, Polk, Potter, Powers, Rencher, Roane, Sanford, William B. Shepard, Aug. H. Shepperd, Shields, Speight, Richard Spencer, Stanberry, Standefer, Taliaferro, Wiley Thompson, Tucker, Verplanck, Wayne, Weeks, Camp. P. White, Williams, Wilson—83.

NAYS—Messrs. Arnold, Bailey, Barber, Bartley, Bates, Beckman, Bockee, Borst, Buchanan, Butman, Cahoon, Clark, Coleman, Condict, Cooper, Coulter, Cowles, Crane, Crawford, Creighton, Crowninshield, Daniel, Denny, Dickinson, Doddridge, Duncan, Dwight, Eager, Ellsworth, George Evans, Horace Everett, Findlay, Finch, Ford, Forward, Fry, Gilmore, Green, Grennell, Gurley, Hawkins, Hemphill, Hodges, Howard, Hughes, Hunt, Huntington, Ihrie, Ingersoll, Irwin, Irvin, Richard M. Johnson, Kendall, Kennon, Kincaid, Perkins King, Adam King, Leavitt, Lyon, Magee, Mallary, Marr, Martindale, Lewis Maxwell, McCreery, Miller, Muhlenburg, Overton, Pearce, Pierson, Ramsay, Reed, Richardson, Rose, Russel, Scott, Sill, Smith, Ambrose Spencer, Sprigg, Sterigere, Stephens, Storrs, Strong, Sutherland, Swann, Swift, Taylor, John Thomson, Tracy, Vance, Varnum, Vinton, Washington, Whittlesey, Edward D. White, Wickliffe, Yancey, Young—99.

So the house refused to *consider* the resolution.

The *speaker* laid before the house the following message from the *president* of the United States:

To the house of representatives of the United States:

I transmit to the house of representatives printed copies of the convention between the United States and his majesty the king of Denmark, concluded at Copenhagen, on the 28th of March, 1830, and ratified by and with the advice and consent of the senate.

ANDREW JACKSON.

Washington, 10*th Dec.* 1830.

The message and convention were referred to the committee on foreign affairs, and ordered to be printed.

The *speaker* also laid before the house a letter from the first comptroller of the treasury, accompanied by the annual statements of the lists of balances on the books of the treasury; which were ordered to lie on the table and be printed.

The *speaker* likewise laid before the house the following letter, which was read; and, on motion of Mr. *Spencer*, of New York, ordered to be referred to the committee of agriculture:

Philadelphia, 7*th Dec.* 1830.

SIR: You will receive with this letter a silken flag, bearing the colors of the United States. This flag is made entirely of American silk, reeled from the cocoons, prepared and woven by Mr. John D'Homergue, silk manufacturer. The coloring has been done by the best artist he could procure in the city of Philadelphia, he himself not professing to be a dyer.

The staff of the flag, with this eagle, measures about fifteen feet; the flag itself is twelve feet and a half long, and six feet wide. It is woven all in one piece, without a seam.

I beg, sir, you will be so good as to present this flag, most respectfully, in my name, to the honorable house over which you preside, as a sample of American industry, thus applied, for the first time, to the most valuable of American productions; and as a result of the efforts they have made during the last five years, for the promotion of the important branch of agriculture, to which we owe the rich material of which this flag is composed.

I have the honor to be, with the highest respect, sir, your most obedient and most humble servant,

PETER S. DUPONCEAU.

Hon. *Andrew Stevenson*,
speaker of the house of representatives.

A message was received from the senate, notifying the house, of its readiness to proceed to the trial of judge Peck—

Whereupon Mr. *Buchanan* submitted the following resolution; which was carried *nem. con.*

Resolved, That a message be sent to the senate to inform them that this house have agreed to a replication, on their part to the answer and plea of James H. Peck, judge of the district court of the United States for the district of Missouri, to the article of impeachment exhibited to the senate against him by this house, and have directed the managers appointed to conduct the said impeachment to carry the said replication to the senate, and to maintain the same at the bar of the senate, at such time as shall be appointed by the senate.

The house proceeded to elect a chaplain. There were four ballots—

	1*st ballot.*	2*nd.*	3*rd.*	4*th.*
Mr. Post	83	81	76	75
Gurley	46	57	76	91
Palfrey	34	33	20	—
Thomas	12	1	—	—
Blanks, (or scattering)	5	—	6	4

So the rev. *Ralph R. Gurley* was duly elected chaplain to the house of representatives for one year.

Mr. *Johnson*, of Kentucky, remarked, that there was a differenee of opinion, at least in his quarter of the house, as to the order which should be taken in attending the trial of judge Peck in the senate of the United States. Some were of opinion that the house should attend in a body; others thought that it would only be necessary for the managers on the part of the house to attend during the trial. At the last session, said Mr. J. the house were in attendance; and it was thought by many members that the same course would be pursued at this session. He wished, for his own part, to have a correct understanding of the subject, and he would thank the chair to give to the house his opinion as to the course that should be pursued.

The *speaker* stated, that the resolution of the house at the last session, was confined to its attendanee before the court of impeachment for a single day. The clerk, however, would read the resolution.

[The resolution having been read, which was, in effect, that the house would in a body attend in the senate chamber for a certain day, to support the charges against judge Peck.]

Mr. *Buchanan* rose and stated that on the trial of Messrs. Blount and Pickering, the house attended, but on that of judge Chase did not attend, and he cited some cases which had happened in England, shewing that the commons attended, as the importance of the matter, or its particular condition, seemed to require. He felt it his duty merely to state the course that had been pursued on similar occasions. He felt it his duty to appear at the bar of the senate, and present the replication of the house, as agreed upon.

Mr. *Johnson*, of Ky. said, that one great object of his rising had been to obtain from the managers an explanation of the course which they had taken. For his part, he wanted to go on with the public business. He recollected, however, the great debate in the senate at the last session, and that it was nearly impossible to retain a quorum of the house; if it were probable such would be the case on the present occasion, and the house should be compelled to adjourn from day to day for want of a quorum, how much soever he wishes the public business attended to, he would prefer that the house itself should conduct the impeachment.

Mr. J. was about to proceed, when the *speaker* reminded him that there was no proposition before the house, and suggested the propriety of his submitting a resolution on the subject.

Mr. J. declining to make any distinct motion at this time.

Mr. *Wickliffe* said, if there was no business before the house, he would ask its unanimous consent to lay a resolution on the table.

No objection being made, Mr. W. submitted the following resolution, which was read, and laid on the table for one day:

Resolved, That the secretary of war communicate to this house the report of H. M. Shreve, superintendent of the improvement of the navigation of the Ohio and Mississippi rivers; and, also, a copy of the reports of the officer of the engineer corps, upon the same subject recently made to the department of war.

On motion of Mr. *Condict*, the house then adjourned.

Tuesday Dec. 14. Mr. *Campbell*, of S. C., and Mr. *Gurley*, of Louisiana, appeared and took their seats yes-

terday; and Mr. *Stewart*, of New York, and Mr. *Sevier*, of Arkansas took their seats to-day.

There were forty-four petitions and memorials presented and referred this day.

A memorial presented by Mr. *Coulter* was on the subject of Sunday mails—recommending that the mail should be discontinued on the Sabbath. On its presentation,

Mr. *Johnson*, of Ky. objected to giving the petition the direction moved by the gentleman who presented it. He observed that if the authors of the petition had an advocate, or advocates on this floor, he was perfectly willing that the report formerly made by the post office committee on the general subject, should at any time be called up. Let the house hear what gentlemen had to say on a subject, which he had always thought, and would now say, ought never to have been brought into the hall of congress. He was desirous to hear what could be said in favor of congress interfering with religious considerations. The committee had acted on the subject, and it would not do so again, unless compelled to do so by an express order of the house. He hoped the gentleman from Pennsylvania (Mr. Coulter), would acquiesce in the motion which he would now make, that the petition be laid upon the table; or rather, that it be referred to a committee of the whole on the state of the union; and he made that motion.

Mr. *Coulter*, expressed his indifference as to the reference, and, without feeling pledged to any particular course of proceeding, on his part, acquieseed in the proposition of the gentleman from Kentucky.

The resolutions submitted yesterday by Messrs. *Pearce*, *White*, of N. Y. and *Wickliffe*, were considered and agreed to.

Much preparatory or minor business was attended to —and sundry references made to the committee on public lands, and that on private land claims.

Mr. *Condict* submitted sundry resolutions which were agreed to, as to making enquiries into the expedieney of making appropriations for certain surveys of the Delaware river, of the Raritan and Passaic.

Mr. *Mercer* submitted the following resolutions which lie upon the table for one day:

1st. *Resolved*, That the secretary of war be directed to lay before this house a detailed statement of the several roads which have at any time been constructed by the army of the United States, within any of the states or territories thereof, denoting therein the termini and extent of the several roads, respectively; the period of their construction; and their cost to the United States.

2d. *Resolved*, That the secretary of war be directed to communicate to this house the amount of the several sums of money which may, at any time, have been allowed to the troops of the United States on account of fatigue duty, distinguishing the year in which any such allowance may have been made, and, where practicable, the nature of the duty performed.

Mr. *Barringer* submitted the following resolution:

Resolved, That the committee of ways and means be instructed to report a bill reducing the duty on bar iron, made by hammering, to the amount of duty imposed by the law of 1816.

Also, to reduce the duty on cotton bagging to two cents per square yard.

Also, to reduce the duty on coarse woollen goods, costing less than fifty cents per square yard, at the place whence imported, to an ad valorem duty of twenty-five per centum.

Also, to reduce the duty on coarse wool, costing less than ten cents per pound at the place whence imported, to an ad valorem duty of twenty per cent.

Also, to reduce the duty on brown sugar to two cents per pound.

Mr. *Condict* demanded the question of consideration on this resolution; and Mr. *Finch* called for the yeas and nays on the question. They were ordered by the house, and being taken, stood as follows:

YEAS—Messrs. Alexander, Allen, Alston, Anderson, Archer, Barbour, Barnwell, Barringer, Baylor, Bell, James Blair, Broadhead, Cambreleng, Campbell, Carson, Chandler, Claiborne, Clay, Coke, Conner, Craig, Crocheron, Davenport, Warren R. Davis, Desha, De Witt, Draper, Drayton, Dudley, Foster, Gaither, Gordon, Hall, Hammons, Haynes, Hinds, Holland, Jarvis, Jennings, Cave Johnson, Lamar, Lea, Lent, Lewis, Loyall, Lumpkin, McDuffie, McIntire, Nuckolls, Patton, Polk, Potter, Rencher, Roane, Wm. B. Shepard, Aug. H. Shepperd, Speight, Richard Spencer, Standefer, Taliaferro, Wiley Thompson, Tucker, Verplanck, Camp. P. White, Williams, Wilson—66.

NAYS—Messrs. Angel, Armstrong, Arnold, Bailey, Barber, Bates, Beekman, John Blair, Bockee, Boon, Borst, Brown, Buchanan, Butman, Cahoon, Clark, Coleman, Condict, Cooper, Coulter, Cowles, Crane, Crawford, Crowninshield, Daniel, Denny, Dickinson, Doddridge, Duncan, Dwight, Eager, Earll, Ellsworth, George Evans, Joshua Evans, Horace Everett, Findlay, Finch, Ford, Fry, Gilmore, Gorham, Grennell, Gurley, Halsey, Harvey, Hawkins, Hemphill, Hodges, Hoffman, Howard, Hubbard, Hughes, Huntington, Ihrie, Irwin, Irvin, Rd. M. Johnson, Kendall, Kennon, Kincaid, Perkins King, Adam King, Leavitt, Lecompte, Letcher, Lyon, Magee, Marr, Martindale, Thomas Maxwell, Lewis Maxwell, McCreery, Mercer, Miller, Mitchell, Monell, Muhlenburg, Overton, Pearce, Pettis, Pierson, Ramsay, Reed, Richardson, Rose, Russel, Sanford, Scott, Shields, Sill, Smith, A. Spencer, Sprigg, Sterigere, Stephens, Storrs, Strong, Sutherland, Swann, Swift, Taylor, John Thomson, Tracy, Vance, Varnum, Vinton, Washington, Weeks, Whittlesey, Ed. D. White, Wickliffe, Yancy, Young—114.

So the house refused to consider the resolution.

On motion of Mr. *Leavitt*, it was

Resolved, That the committee on the judiciary be instructed to enquire into the expediency of reporting a bill comprising all the acts and provisions now in force, on the subject of the naturalization of aliens.

Mr. *Jennings* submitted the following resolution:

Resolved, That the committee on roads and canals be instructed to enquire into the expediency of appropriating $100,000, to the completing the Cumberland road, (*not national road*) in the limits of the state of Indiana.

On the question being put to agree to this resolution, it was decided in the negative.

A letter from James Monroe, on the subject of his claims, was presented through the speaker.

Messrs. *Everett*, of Mass. *Verplanck* and *Wayne*, compose the library committee.

Wednesday, *Dec.* 15. After the presentation of petitions,

Mr. *Mercer's* resolution, submitted yesterday, was agreed to.

On motion of Mr. *Sutherland*,

The bill (commonly termed the light-houses) returned by the president at the commencement of the session, with his objections, was ordered to be printed and placed among the documents—ayes 102, noes not counted.

The case of Farrow & Harris was referred back to the committee of claims.

A large number of resolutions, local or personal, were offered this day—we *cannot* make room for them.

The following additional committees have been appointed by the *speaker*, viz:

On expenditures in the department of state—Messrs. Earll, Sill and King, of N. Y.

On expenditures in the department of the treasury—Messrs. Leiper, Crocheron and Kendall.

On expenditures in the department of war—Messrs. Maxwell, of Va. Muhlenburg and Crocket.

On expenditures in the department of the navy—Messrs. A. H. Shepperd, Bartley and Evans, of Pa.

On expenditures in the post office department—Messrs. Yancey, Borst and Scott.

On expenditures on the public buildings—Messrs. Sprigg, Bailey and Swift.

On the militia—Messrs. Thompson, of Geo. King, of Pa. Barringer, Weeks, Kincaid, Johns and Cahoon.

Thursday, *Dec.* 16. The business of this day extends over a large space, in the reports of proceedings. Much conversation took place about the live-oak plantations in Florida, on a resolution offered by Mr. *White*, (of Florida) to obtain reports of the overseer, &c. And again, on the proposition of Mr. *Richardson* to appoint a select committee on education, which was laid on the table, by yeas and nays—94 to 86.

Many resolutions, chiefly of a local character, were submitted and disposed of—others of a more general nature will be noticed hereafter.

The *speaker* laid before the house the following message from the president of the United States:

To the senate and house of representatives of the U. S.

Gentlemen: From information received at the department of state, it is ascertained that, owing to unforeseen circumstances, several of the marshals have been unable to complete the enumeration of the inhabitants of the United States, within the time prescribed by the act of the 23d March, 1830, viz. by the first day of the present month.

As the completion of the fifth census, as respects several of the states of the union, will have been defeated, unless congress, to whom the case is submitted, should, by an act of the present session, allow further time for making the returns in question, the expediency is suggested of allowing such an act to pass at as early a day as possible. ANDREW JACKSON.

Washington, *Dec.* 15*th*, 1830.

The messsge was read, referred to a select committee and ordered to be printed.

No matter of *immediate* interest suggested or decided this day.

DOCUMENTS ACCOMPANYING THE PRESIDENT'S MESSAGE.

Treasury department, November 8, 1830.

The secretary of the treasury has the honor to submit for the consideration of the president, the expediency of recommending to congress that some provision be made for the prosecution of persons who may commit frauds upon the government. Such frauds are generally attempted under the color of claims arising out of revolutionary services, and of grants for lands in the territories ceded to the United States by France and Spain. Several of these offenders, emboldened either by success or by a supposed security under the remissness of the government to punish them, appear to have perpetrated, by perjury and forgery, frauds of a flagitious character. Prosecutions have been commenced in some cases which have been recently detected at this department, and investigations instituted in others where strong suspicion of fraud is entertained; but these proceedings are found to require not a little time and labor in collecting evidence, corresponding with district attorneys, and in various duties, as well of agency as those which more properly belong to professional services, which the treasury department has no officer to perform who is not otherwise fully employed, even if such a duty could properly be assigned, by regulation, to a subordinate officer. It is owing, as is presumed, to similar difficulties, that prosecutions for such offences have been heretofore but seldom instituted, whereby the evil has increased to a serious extent.

In conclusion, it is respectfully suggested, if it should be deemed advisable to invite the attention of congress to an enlargement of the functions of the attorney general, whether this service might not be advantageously assigned to that officer.

REPORT OF THE SECRETARY OF WAR.

War department, 1st December, 1830.

To the president of the United States:

SIR: I have the honor to make known to you the operations of this department during the present year, and to offer such suggestions as appear to me necessary to be presented. The army, at the different positions it has occupied along our western and southern borders, has been engaged in preserving quiet along those frontiers, and has fully succeeded. Fears were entertained of a rupture of serious character amongst some of our northwestern tribes of Indians; but the presence of a military force, and the exercise of a proper discretion on the part of those to whom the trust of reconciling them was confided, has had the effect to arrest it, and peace has been the consequence. Similar apprehensions have recently been entertained of the Indians who reside on our southwestern boundary, bordering on the province of Texas, and precautionary steps have been taken to prevent any acts of hostility. The vigilance, intelligence, and discretion of our officers afford a belief that, by their exertions, these distant tribes can be retained at peace with each other. Occasional interruptions have arisen from marauding parties, who range through the forest, and, at points distant from our posts, commit aggressions: these acts, in turn, produce retaliation. It is important to prohibit these commissions, if possible, though no other plan can be suggested than what has already, heretofore, been presented; viz: an authority to employ a detachment of mounted troops. These, ranging through the country at different places, and at irregular periods, would do much more towards preserving peace with our Indian tribes, and quiet along our borders, than could be effected through any augmentation of our posts.

I regret to say that desertions from the army are not of less frequent occurrence than heretofore. The number, for the present year, will exceed one thousand. Various efforts have been made, and many theories suggested, to arrest an evil so injurious to the operations and character of an army. None have succeeded! The benevolent intention of the act of congress of last winter, which took from the offence the penalty of death, and in obedience to the spirit of which, all past offences of the kind were by you directed to be forgiven, has had no restraining, no salutary effect. I am not an advocate for the severity of penalties. The hope of reward, more frequently than the fear of punishment, operates beneficially upon mankind. A resort to both might be serviceable. While penalties corresponding to the nature of the offence might be imposed upon delinquents, the faithful and good soldier should be cheered by the expectation of reward. To this end, an authority to make some reasonable compensation to those who obtain an honorable discharge should be granted. In conformity to this opinion, I would take occasion to suggest, that, while some adequate punishment for so gross a violation of duty as that of abandoning a service voluntarily assumed, be imposed, it may also be provided that the soldier who serves faithfully, and is honorably discharged, shall receive, at the termination of his enlistment, one hundred and twenty dollars. Let him receive, instead of his present pay, four dollars per month, retaining the residue, payable at the end of service. The difference in expense thus created to the government, for the five years of enlistment, would be but sixty dollars; which increase, it is hoped and believed, will be more than compensated for by a saving in the expenses which are incurred under the present system of restraining desertion. The amount retained always to be forfeited, if, at any time, the soldier desert the service. It might operate as a strong incentive to good conduct, and would serve as a fund at the close of his engagement, by which to establish him in some advantageous pursuit. By the present mode, he retires from the army, dependent and poor as he entered; and often, instead of going home for a time to his family, he re-enters the army contrary to his will, his poverty and wants only consenting. Dissatisfaction takes place, and desertion presently follows.

Repeated efforts have been made to arrest this growing evil; and they should be continued, so long as hope or fancy can suggest a remedy. The loss to the service is not so material. The greatest fear attendant is, that, in peace, the practice may become so frequent and familiar, as in war to lose that odium which justly should pertain to so aggravated an offence.

Recently, by an order from the war department, the whiskey part of the ration has been taken away, with a view to ascertain how far a theory frequently introduced might be practically productive of benefit. Time, whereby to test the experiment, has not been afforded; but little confidence, though, is reposed in the attempt. If the plan which I have suggested—the giving some enlarged compensation to the non-commissioned officers—(to the possession of which every soldier may aspire), shall fail as matter of remedy, I know not what other can be assayed with any reasonable prospect of success. That buoyancy which in war elevates the soldier, and leads him to the belief that, by gallantry and good conduct, he may aspire to promotion, in peace, being taken away, paralyzes his efforts. To be a non-commissioned officer is all that he can hope for or expect. To place this class of officers on some more advantageous and respectable footing, thereby to excite a spirit of emulation and good conduct amongst the soldiers, might prove highly serviceable. The subject, being one of importance, is at least worthy of consideration and experiment.

Connected with the army is the military academy at West Point. The beneficial effects which have been derived to the country already, and the more enlarged ones which are in prospect, derivable from this valuable institution, render it matter of importance that it should be maintained upon its present liberal plan and principles. The educating of two hundred and fifty young gentlemen, selected from every state of the union, cannot fail to carry with it advantages and benefits correspondent to the demands it produces on the treasury. But, apart from this, the education obtained there being of a military character, the benefits diffused through every section of our country cannot but prove highly beneficial when our country shall be involved in war. The information which is acquired there is carried to the several states: these young men become officers of militia; and in time, through the means thus afforded, something approaching to uniformity in the discipline of our militia may be expected. The able report of the board of exa-

miners at the last commencement, and which accompanies this report, will present in detail the progress and advantages of the institution.

By the act of 1818, the president of the United States is directed to confer upon the graduates of this academy the appointment of brevet lieutenants. Already there are 87 supernumerary officers thus created, and who cannot now be provided for in the line of the army. In June next there will probably be 33 more added, which will produce an excess of 14 over the number authorized. The law prohibits the brevet appointments of a greater number than 106—one for each company; of course, upon a reasonable calculation, but few, if any, of the cadets, after June, 1831, will be entitled to a brevet commission. I would respectfully suggest if some rule different from the present be not necessary to restrict for the future brevet lieutenant appointments, retaining only so many as might supply the probable vacancies which would occur within the year. The number of promotions to the army from this corps, for the last five years, has averaged about 22; while the number of graduates for the same period has been at an average of 40. This excess, which is annually increasing, has placed 87 in waiting until vacancies shall take place, and shows that, in the next year probably, and in the succeeding one certainly, there will be an excess beyond what the existing law authorizes to be commissioned. There will then be 106 supernumerary brevet second lieutenants appurtenant to the army, at an annual expense to the government of $80,000.

In the engineer department, important operations, as regards the internal improvement of the country, have been in successful progress. The advantages to our commerce from the improvements which have been made in the navigation of the Mississippi and Ohio rivers, have already been sensibly felt; and great good to the community at large is to be anticipated from further efforts to be made. The experiments begun, and in some respects completed, show, that, at an inconsiderable annual expense, the Ohio river may be cleared of its bars and shoals, so as to afford a convenient and safe navigation at those seasons of the year when heretofore it has been considered impracticable.

This subject well merits the attention of the government. These rivers pass through an immense and fertile region of our country, and contribute their products essentially to advance our commercial interest. An inconsiderable expenditure from the public treasury will have the effect to give security to a commerce which at present is carried on at much hazard, and, by diminishing the insurance at present required, and preventing losses, speedily to reimburse to the community the cost which has been incurred, or expense which may be required. At present the imports to the west are mainly through these rivers, and the export trade almost entirely. Usually for six months in the year, one of these (the Ohio), ceases to be useful, because of the numerous obstructions, and consequent hazards, which are presented at those times when the waters are materially reduced. The inconvenience and risk thus felt are susceptible of such easy remedy, and at so small an expense, that it becomes matter of surprise that improvements so important and valuable to a large community should have been so long overlooked or neglected. The necessity of improving the navigation of these rivers for commercial purposes, all admit; of the practicability of effecting it, none can doubt. The experiment lately made, through a most difficult obstruction at a place called the Grand Chain, conclusively tests the feasibility of improving other places, and that the expense will not be considerable. As it regards this branch of the subject, however, it appears to me that the importance and value of the thing to be done, is of infinitely greater consequence than any apprehension of charge which it may occasion to the treasury.

The breakwater situated at the mouth of the Delaware river is another valuable improvement, which, within the last year, has been rapidly progressed with. The work has already risen above the water, and partially shows the great importance it is to our commerce. During the violent gale of last September, several vessels which lay under the protection of this work were preserved. The force of the sea being broken by its opposition, they were enabled to keep at their moorings, and to ride out the gale in safety. Fifteen other vessels in view, not possessing the advantages of this position, were driven on shore, and lost, or gotten off at much expense. A few years will complete this valuable work. The attention it has received since, by your direction, it was placed in charge of the quartermaster's department, and the advantages already perceived to arise from it, give proof of the propriety of its completion, and of the numerous benefits it must afford to commerce. At this heretofore [illegible] protection to coast navigation, a security will be afforded [illegible], may occasion a saving of property [illegible] inappreciable by the cost incurred in its construction. By such a result the remuneration will be ample.

The ordnance department is progressing as rapidly as the means afforded will permit, in arming the militia of the states, and in preparing the necessary guns and carriages for garnishing the different fortresses of the country. It is worthy of consideration whether the appropriation applicable to this service should not be increased, so as to provide a suitable armament by the time the different fortifications along the coast shall be completed. For the forts which are finished, a million of dollars will be necessary to arrange their armament. But besides these, others are in progress, and will shortly be completed. The annual appropriation of $100,000 towards this purpose will require ten years to accomplish the object for those which are in readiness. Should we be preserved at peace, no injury will arise; but should war take place, the effects upon our country would prove of serious and prejudicial character.

In all the disbursing branches connected with the war department, I am happy to say that punctuality and fidelity have strictly, and almost without exception, been regarded during the year.

A new era in the history of this country has, within a few years, arisen in relation to Indian affairs. Under the act of 1802, and the practices of the government resulting therefrom, principles have been introduced, the continuation of which is matter of serious consideration. By this act it is prohibited to any one to settle upon Indian lands, or to enter their territory; and, for its execution, the president is authorized and directed to employ the "military force" of the country.

It is worthy of reflection how far this act (as circumstances exist) is to be considered within the pale of the constitution, and obligatory upon the authorities of the government. Before the states were members of this union, they were sovereign. The United States government can legitimately exercise those rights only with which the states parted under their general compact. To regulate their internal municipal authority is a privilege which has not been surrendered. Amongst those rights is the indisputable one of controlling their citizens, and governing them after their own mode, with this exception, that a republican form of government is to be secured to each. The states, being independent and sovereign within their own limits, can admit no check upon their sovereignty, whether, in its exercise, it affects one citizen or another—the white or the red man. By courtesy the laws have been withheld from an interference with the Indians within a state; and that which heretofore was mere courtsey is now insisted upon as matter of paramount constitutional right. Surely this cannot be correct according to our notions and system of government; and, if wrong, the act of 1802, from the moment the laws are extended by a state over Indian territory, must cease to be operative. Reciprocity is always fair and just; and hence the law which would make it penal for a white man to tread, unlicensed, upon soil held through Indian occupancy; should equally restrain the Indian from entering upon the domain of the white man. So far as existing treaties operate, the United States possess the power to concede this or any other privilege, because treaties, whether well or ill made, are the supreme law of the land; but they should be such as are permitted to be entered into by the constitution, and which, do not affect the rights of a state beyond what her consent in becoming a member of the union has sanctioned and authorized. Every thing beyond this is usurpation.

Under the authority confided by you, during last summer I visited some of the Indian tribes, with a highly

valuable auxiliary, general John Coffee, of Alabama, and made known to them their situation. With the Choctaws and Chickasaws, (the only tribes with whom we negotiated), treaties were concluded. From all appearances, they were well satisfied with their own decision, and the course which we pursued towards them. If any different feeling has since been incited, it is the work of persons who have sought, through the channels of their ignorance, to persuade them to the belief that great injustice has been practised. I undertake to assure you, that, in all we did, the utmost fairness and candor were practised. We sought through persuasion only, to satisfy them that their situation called loudly for serious reflection. Pending the negotiation, no secret meetings were had, no bribes were offered, nor promises made. Every argument adduced, or suggestion offered, was in open council, and in view of those whose rights were to be affected. Of this, abundant evidence exists, whatever may be said to the contrary. There was no motive to impose upon, or to deceive them. Our instructions forbade us to do so, and our inclination, besides, was an ample restraint. The treaties concluded are ready for submission; and how far any practised injustice or want of liberality can be imputed, will be fairly judged of when their tenor and condition shall be disclosed. If a liberality ample and generous has not been regarded, our wishes have failed, and our judgments been mistaken.

During this period, I witnessed much of the Indian character, their progress, refinement, and march towards civilization and can well say, that in conducting the negotiation, every thing was done to retain them in those pursuits which should tend to their advancement, and to which their situation could reasonably lay claim. Those who so zealously have espoused their cause, and who affect seriously to deplore their condition, are acting upon false premises; or are moved by mistaken considerations of kindness. But, as mankind are found to differ even upon essential matters of faith, and their ultimate results, I can well imagine, that, in reference to such a subject as the present, honest differences of opinion may be expected, and will arise. Yet, before a desire be adopted, earnestly, to retain these people at their present homes, we should be careful not to receeive mere impressions for facts, but rather to hear the suggestions of truth and reason. We should look to the red men as they are, and not as oftentimes they are represented to be; to their inaptitude to live under a well regulated system of law, and to the danger and hazard of the experiment. A few of them are well informed men, and capable of enjoying refined society. These are the mixed Indian—the half breed, as they are usually termed. Scarcely any of the others speak our language, or are acquainted with the principles of our government. Little hope should be entertained, even by those most sanguine on the subject, that any material advances in civilization can be made with the present generation—those, I mean, who are now at maturity in life. Care and attention towards the rising generation may tend greatly to improve, and in time meliorate, their present condition. To turn them to industry, is of first importance. Labor is never an acceptable pursuit to Indians. In their unimproved state, a fondness for war and the chase, and oratory at their councils, constitute their leading traits, because these afford the highest distinction. When, through the influence of culture and education, their taste upon these subjects shall be changed, and the character of an industrious agriculturist be held in higher estimation than dexterity of pursuit in the chase, then may they be expected to resort to industry, and give attention to the duties of agriculture. Indisposition to manual labor, so peculiarly the characteristic of an Indian, causes him to select the poorest grounds, because of the ease with which the timber is felled and cleared away. The exceptions which exist to this are principally amongst those of mixed Indian blood, whose habits have been improved, and whose minds have been cultivated.

There are three divisions in the Choctaw nation, each of which is governed by a chief, who, within his limits, acts independently of the others. In his government he is aided by minor and subordinate chiefs, called captains, each of whom acts within his particular district. The people are subordinate to the captains—the captains to the chiefs. One of these divisions compose what is called the Christian District, the chief of which is a man of good mind, with a common English education, and is religious. His people, too, are seemingly pious. Each night, pending the negotiation, until a late hour, they were at their exercises, singing and preaching. From every information, this Christian party, as it is termed, are not accurately and correctly informed as to the principles and faith upon which they profess to act. A future state of rewards and punishments, for virtues or for crimes, is fashioned by their standard of savage life, and its enjoyments; and, in their imagination, is made to conform to what they conceive to be essential to constitute happiness, or misery here. Judging from their devotional conduct, they are, to all appearances, a religious people. Certainly there are some perceptible and beneficial changes amongst them. They have become mostly an agricultural people. The practice of perforating the nose and ears for the purpose of ornamenting them, is rapidly disappearing, and considered a rude custom. Vermillion paint, to ornament and to decorate the face, is, in a great measure, given up. A credulity in supernatural agency, in witches, and in witchcraft, is fast yielding; and the use of ardent spirits, particularly in one of the districts, is in a great measure abandoned. A reasonable hope may be entertained, that these people may in time prove that the zeal and efforts of the government to protect and civilize them, are not improperly bestowed.

In concluding a treaty with these people, candor and fairness were the only means resorted to by the commissioners. They were given to understand distinctly, that, in coming to visit them at their solicitation, and at their homes, no design was entertained beyond communicating to them a knowledge of their true condition, and submitting to their judgment the course of policy by them to be pursued. We told them the opinion entertained by the government as to the authority of Mississippi to extend over them her laws; and that the United States possessed not the power to prevent it. The interviews had with them were in open council, where were present the chiefs and warriors, and some of our own citizens. Arguments addressed to their judgments were the means employed. No threat was used; no intimidation attempted. Under these circumstances, a treaty was concluded and signed, more than 5,000 Indians being in attendance at the time. Amongst them was great apparent unanimity. Some did object and were dissatisfied, but not as it regarded the general policy of treating, but because they believed themselves entitled to obtain, and were solicitous to procure large reservations. The number thus influenced was small. Since that time, active efforts have been made in the nation to induce dissatisfaction amongst the Indians, and to persuade them that they had been greatly deceived and imposed upon.

An old chief, (Mushulatubbee), who was favorable to the treaty, by a few of the discontented of his district, has been recently deposed, and the name of another sent to this office to receeive recognition. The design is probably to show that the people are displeased because he signed the treaty. The answer returned to their application was, that, while the government meant not to interfere with their mode or manner of self government, it could not recognize, what had been done by a few; yet, when a chief should be chosen by a majority of the division, and the fact so certified by their general council, he would be regarded as properly chosen, and be considered as such. An examination of this treaty will clearly show, I think, that justice and liberality have been regarded. The great majority of the nation were satisfied when he left them; and, from information since received, yet continue to be satisfied. Their anxious desire is, to get to a country under the protection of the United States, where they can be free from any liability to state laws, and be able to dwell in peace under their own customs.

The commissioners appointed to further the execution of the treaty of Butte des Morts have discharged the trust confided to them, and have made their report. The misunderstanding between the New York

and Green Bay Indians has been examined and adjusted; the report to be confirmed, only requires your approval, agreeably to the second article of that treaty.

Very respectfully, JOHN H. EATON.

REPORT OF THE SECRETARY OF THE NAVY.

Navy department, 6th Dec. 1830.

The following report of the transactions of the navy of the United States, during the present year, with a view of the several subjects connected with its interests, is respectfully laid before the president of the United States.

The state of the navy, since the communication made to you in December last, has been, generally, favorable to its active exertions in the important pursuits in which it has been engaged. No distressing casualty, or marked calamity, has assailed it since the loss of the sloop of war Hornet; information of which lamented event was received, prior to the adjournment of the last session of congress.

The active force employed within the year, has not been essentially varied from that kept in service, for several years past. This consists of five frigates, ten sloops of war, and four schooners: of these, the most efficient squadron, composed of two frigates and four sloops, has been required to cruize in the Mediterranean sea, where, from the large interest engaged in mercantile adventures, to the several states on its coasts, its presence was deemed of most importance. This has continued under the command of com. Biddle. Two of the vessels composing it, have been relieved, their terms of service having expired, and their places supplied by the sloops of war Concord and Boston; the former, being first ordered to convey the United States' minister to Russia, and the latter, to take the United States' consul general to the Barbary powers.

The state of these vessels has been represented to be, in point of order and preparation for service, every way worthy of approbation, and the discipline exact, without rigor—promising all required efficiency in its force. Under the command of this able and vigilant officer, all the necessary protection has been given to the trade in that quarter, no case having come to the knowledge of the department, of injuries from piratical attacks; and, with the several states and sovereignties bordering on its coasts, the best understanding has been preserved. This squadron, continues to rendezvous at the port of Mahon, in the island of Minorca, a privilege which has been conceded by the government of Spain, affording great conveniences to the United States' squadrons, especially at seasons when their safety would be endangered by remaining at sea. Here they enjoy a respite from the labors and dangers of the ocean, in a climate mild and favorable, to the restoration of the health of their crews, after long and laborious service at sea.

Other changes in the vessels employed in this sea are contemplated during the next year, but the force is not proposed to be diminished; nor, in the present agitated condition of the contiguous states, could this be done, without subjecting the commercial enterprises of the country to the casualties attending a state of warfare, should such be the unhappy result of the present hostile indications in that quarter.

The squadron appointed to cruize on the coasts of Brazil and Buenos Ayres, and the Pacific ocean, has been steadily engaged in guarding the United States' mercantile interests on these coasts. This service has been performed with fidelity and success; and the flag of the union, now gives full security to the merchandise, it is authorized to introduce and exchange, with the respective countries to which it is carried.

The cessation of hostilities, between the states of Chili and Peru, and the mother country, and between Brazil and Buenos Ayres, has greatly favored the advances of trade, and diminished the hazards of mercantile adventure with every part of the South American continent. But the unstable and inefficient governments of a part of these states, forbid the idea that this can be long enjoyed, without embarrassments and vexatious interruptions, unless it shall be sustained by the presence of an active protecting force. It cannot, consequently, be believed to be consistent with good policy to lessen the efficiency of this force.

Several of the vessels composing these two squadrons, will be relieved in the course of the next year, preparation for that purpose being in active progress. It is also contemplated, to make some changes in the description of force to be employed on the Atlantic coast of South America, adapting it better for the harbors it is forced to look to, for security against the tempestuous weather, so often experienced on these coasts.

In a former communication made to you, it was noticed, that the sloop of war Vincennes, commanded by captain Finch, which had composed one of the squadron in the Pacific ocean, had been directed (after the expiration of the term limited for the cruize on the coasts of Chili and Peru), to touch at the Marquesas, Society, and Sandwich islands; and, after spending the necessary time, in looking to the United States' commercial concerns in that quarter, to take Canton, &c. in the way, and thence, by the cape of Good Hope, pursue the usual route to the United States.

This order has been faithfully executed: the ship has returned in good condition, with its crew well disciplined, and in excellent health.

The particulars of this voyage are given in the report of captain Finch. These have a claim to the attention of the public, from the information afforded on many points, relating to the character and habits of a people, just emerging from a state of simplicity and ignorance, and, from their peculiar locality, necessarily controlling the comforts of the large number of United States' citizens who annually visit them.

The great amount of tonnage and capital employed in the whale fisheries, in the adjoining seas, makes its convenient prosecution, a matter of no inconsiderable concern to the nation.

The necessity, also, for repose after the long voyages required by this trade, and the want of supplies for health and convenience, and repairs of the vessels, render these islands places of general rendezvous; and it is consequently of great importance, that the most friendly intercourse be maintained with the inhabitants. Captain Finch, by his judicious and conciliatory deportment, has probably secured a long continuance of kindly treatment to his countrymen, from these people, and has added greatly to the prospects of a successful termination of their enterprises.

Some extracts from this report are herewith transmitted, marked A.

The squadron which has been maintained in the West Indies and Gulf of Mexico, consists, at present, of four sloops of war and three schooners, under the command of commodore Elliott. Several changes have been made in the vessels employed on this station, in consequence of the expiration of the terms of service of the crews, or the want of repairs of the vessels. No causes are supposed to exist, making it necessary to add to this force; nor can it be safely diminished, though the energy and activity, with which it has guarded the United States' trade, may be said, for the present, effectually to have suppressed piratical aggression.

The great facilities afforded by the inlets and harbors of the islands in the Mexican gulf, for the resort

and concealment of the vessels engaged in the commission of piracies; the class of population with which these islands abound, composed of refugees and outlaws, escaped from the punishment, due for crimes committed in other countries, give advantages for piratical enterprises, scarcely known in any other quarter of the globe. Nothing short of the exertion of positive and continued force, can be expected to keep these marauders in check, and give the desired security to trade.

The invasion which took place during the last year, of the territories of the Mexican states, by an armament from the island of Cuba, having given ground for apprehension, that the United States' trade to these states might, suffer from the pretexts afforded by this state of conflict between the two countries, an act was passed at the last session of congress authorizing the employment of some additional force upon that station. In conformity to the provision of that act, the frigate Brandywine, under the command of captain Ballard, was equipped and despatched for that coast, and continued for several months to cruize in its vicinity. Whatever danger might have threatened the trade in that quarter, has been effectually parried, by the means taken for its protection; and this ship after returning to the United States for necessary refitments, has since sailed to join the Mediterranean squadron and relieve the frigate Java.

It is believed that great advantages might be derived from changing, to a certain extent, the description of naval force employed in the West Indies, especially for the suppression of piracy.

The proposed change would consist of the substitution of three schooners, in lieu of one of the sloops of war now employed in that service.

Vessels of this force would be fully able to cope with and capture any piratical cruizer which might be expected to be encountered on this station, and they would possess the greater advantage of multiplying, by the increased number of the squadron, the chances of discovering the enemy, while their structure and inferior size, would diminish the risk of being known in their approaches. Their lighter draft of water, would favor the pursuit into the obscure recesses and haunts of these cruizers, and give the important facility of entering many of the harbors on the Mexican gulf, for security against the frequent hurricanes prevailing in tropical climates.

It is respectfully recommended that an appropriation be made for building the proposed number and description of vessels.

The health of the officers and crews of the United States' vessels of war, has been generally good, and uninterrupted by the attacks of the epidemic and malignant fevers, which are so readily engendered in tropical climates, and which exert such fatal influence on the constitutions of persons not familiarized to a residence in them. This may be ascribed, in some degree, to the improved system of ventilation, and the great neatness observed in the economy of vessels of war, and the adaptation of the diet and dress of the crews, to the temperature of the coasts and countries, where their duties are to be performed. The modern discoveries in chemical science have also been resorted to, to preserve the mariner from the attacks of these fatal maladies. Several communications have been received from the surgical department of the navy, by whom experiments on the chloride of lime were ordered to be made, giving the results of their observations on its powers in preventing the generation of such diseases.

From these a few extracts have been taken, and are herewith transmitted, marked B.

These furnish subjects for congratulation to the friends of the improvement of the condition of the seaman's life, and indicate that the period is not remote, when a service in the climates of the torrid zone will no longer be the terror of nautical men, but will be performed with as fair a prospect of exemption from disease, as is now experienced in the temperate latitudes.

It is to be regretted, that an exception to this general healthfulness of the navy has been experienced in one of the vessels of the West India squadron.

From the communications of commodore Elliott, it appears that the yellow fever made its appearance on board the sloop of war Peacock, some time in the month of June last, and that it continued to harass the crew of that vessel after its return to Pensacola, in September; nor were its attacks intermitted, until it had deprived the service of four valuable officers, and of several seamen.

It is worthy of remark, that, on board this vessel, the powerful preventive agent abovementioned, was not used, the surgeon relying, for the preservation of the health of the crew, on the superior cleanliness and well ventilated state of the vessel.

The commissioners of the navy board, interpreting the act, making an appropriation for the repairs of vessels in ordinary, and the wear and tear of vessels in commission, as admitting a greater latitude in its application to naval purposes, than, it is believed, was contemplated by the framers of the law, or was admissable by a fair construction of its terms, have caused to be built, out of that fund, a new sloop of war, in the place of the "John Adams," which had been found defective in the model, and otherwise unfit for repair.

This subject was referred to your consideration; and, in conformity to your decision, an order has been issued, requiring that, in future, the application of this fund shall be confined to the repairs of vessels in ordinary, and the wear and tear of vessels in commission; and that no vessel shall be built or rebuilt, unless authorized by a specific appropriation.

The condition of the navy hospitals, at most of the navy yards in the United States, is entirely deficient in the means of giving accommodation to the invalids of the navy, who may be so unfortunate as to require it. At most of these places, the only provision made for their comfort during illness, is some temporary shelter or old building, possessing no one of the requisites necessary for this purpose. The mariner, who returns after long and faithful service in distant and uncongenial climates, finds no asylum prepared for his reception and recovery from diseases, incident to such service, but is compelled to linger out his life in crowded and confined apartments, even less favorable to his restoration, than the hold of the vessel from which he has been discharged.

The funds which have accrued from the monthly deductions of the pay of the navy, and the several appropriations made by congress, have been expended in the erection of two magnificent buildings, neither of which has been finished, and but one of them, (at Norfolk, Virginia), is applicable to, or designed for, the accommodation of the sick. For several years to come, there cannot be such an accumulation of navy hospital capital, as will enable the commissioners of that fund, to engage in the construction of other useful and permanent buildings for these objects.

At Pensacola, to the mild and salubrious climate of which, the invalids of the navy look with so much anxiety, as a place of refuge and restoration from tropical pestilence, there is no building which will even protect the sufferers from the inclemencies of the weather, much less secure to them the conveniences and comforts which their situation demands.

At New York, and at Charlestown, Massachusetts, the necessary lands have been purchased, with the navy hospital funds, for the erection of buildings for the use of the sick, and are in every respect favora-

bly situated, for affording the advantages which such establishments should possess.

These sites, in the vicinity of stations which are of so much importance to the navy, from the number of efficient recruits enlisted at them for its service, remain unimproved, and unprovided with the buildings that are indispensable for the welfare of the invalid.

The laws passed at the last and preceding sessions of congress for the gradual improvement of the navy, the protection of the ships in ordinary, and for the preservation of the materials for naval purposes, collected at the different navy yards, have received a due share of the attention of the department.

The construction of the two dry-docks authorized under the first of these acts, at Boston and Norfolk, is progressing. The one at Boston is now in such a state of advancement, as to induce the expectation that it may be brought into operation, during the ensuing year, or early in 1832. The completion of these two laborious and expensive works, will mark an important advance in the progress of our naval improvements. Repairing the ships of war of the larger classes, hitherto a work of so much labor, expense, and hazard, will, by the conveniences afforded by these docks, be rendered comparatively easy, and be executed, not only without risk and at far less cost than formerly, but in a manner better securing both the strength and durability of the ship. Paper marked C, annexed, contains information in detail on this subject.

Extensive houses have been prepared for the reception of materials provided under this act, and other buildings are in progress, which will give complete protection to the large stores now deposited at the different yards, and those which are to be delivered under existing contracts.

The necessary examinations required by this act, to determine the practicability and expediency of erecting a marine rail-way, at the navy yard, Pensacola, have been made by one of the United States' engineers.

The views of this officer on this subject were laid before the board of navy commissioners, and they have expressed the opinion that it is not expedient or proper, under the restrictions and conditions imposed by the act, to cause the construction of this desirable improvement to be attempted.

It is indispensable, however, that some facility should be afforded at this most convenient position, for the repairs of the vessels of war engaged in the West India service. It is proposed that a wharf suitable for these purposes should be built, in place of the contemplated rail-way; and the necessary estimates for its erection are in readiness to be transmitted.

Further efforts have been made for the execution of this act as far as it relates to the preservation of the live oak, growing on the coasts of the Atlantic and Gulf of Mexico.

By the fourth section of this act, the president is authorized to provide for the preservation of this timber; but it seems to have been intended that the power should be limited to that object. An interpretation of the law has, heretofore, been entertained, extending this power not only to the planting of the acorns, and the cultivation of plantations of young trees, but to the purchase from individuals of lands producing them. The paper accompanying this, marked D, shows the amount which has been expended on these plantations, and the sums which have been paid to individuals for the purchase of tracts of such land.

When it is considered that this timber in the natural product of the coast of the United States from the St. Mary's to the Sabine; that the greater part of this belongs to the United States, and is proposed to be retained with a view to preserving a supply of this important material for the navy, it can scarcely be necessary for the present to engage in its artificial propagation or culture.

Under an impression that this system is neither expedient, nor in conformity to the intentions of the act, an order has been given to discontinue the works after the expiration of the present year.

But the preservation of this timber is an object of great importance, and should be prosecuted with an active and undeviating purpose.

In aid of those measures which have been heretofore resorted to, a vessel of such draft of water, as was adapted to the navigation of the rivers and creeks of the coasts of Florida, and the Gulf of Mexico, has been selected and fitted out, and the command given to a vigilant and enterprising officer of the navy, who has been required to visit, from time to time, as the seasons or circumstances would permit, every section of these coasts, and to use the utmost efforts to suppress further depredations upon the public interests. Surveyors and agents, have also been directed to explore such parts of the coast as abound with the live oak, to designate the boundaries between private and public claims to land, and to mark out such tracts as they may think it most conducive to the public interest, should be reserved from sale.

The accompanying report of the fourth auditor of the treasury, marked E, shows the several sums which have been paid in carrying into effect the act of 3d March, 1819, and other acts, making appropriation for supporting and removing certain persons of color, from the United States to the coast of Africa. It appears from this statement, that, under authority of these acts, 252 persons of this description have been removed to the settlement, provided by the colonization society on the coast of Africa; and that there has been expended therefor the sum of two hundred and sixty-four thousand seven hundred and ten dollars.

These several acts appear to have been passed in a spirit of justice and benevolence, to repair, as far as possible, the injuries inflicted by the citizens of the United States upon the defenceless persons, who are the subjects of the African slave trade; and the appropriations have been made, with a liberality corresponding with the humane intentions of the framers of the laws.

The terms of these acts are sufficiently defined to be readily intelligible. It would seem, that the authority given to the president, was limited to the support of the negroes or persons of color, during their stay in the United States, to their removal to the coast of Africa, and to the delivering of them to the care of an agent, &c. There is no power expressly vested in the executive to provide, after such delivery, either for their support or protection. A liberal interpretation of the law might permit some allowance to be made for their maintenance, after being landed, until they could find employment by which it might be earned. But this even would be authority from inference only, and should be cautiously exercised.

The practice has been to furnish these persons with provisions for a period of time, after being landed in Africa, varying from six months to one year; to provide them with houses, arms, and ammunition; to pay for the erection of fortifications; for the building of vessels for their use; and, in short, to render all the aids required for the founding and support of a colonial establishment.

This latitudinous interpretation of the law, has resulted in the heavy expenditures detailed in the annexed report. Understanding the law in the limited acceptation represented above, it will in future be executed accordingly, and every effort made by the department, to confine the application of this fund within the pale of its provisions.

The term for which the crew of the frigate Java had been enlisted having nearly expired, that vessel has been ordered to return to the United States, in doing which, the commander has been required, in furtherance of the humane policy pursued by the government, to touch at the settlement at Liberia, and to aid in enforcing the laws which have been enacted, for the suppression of the slave trade.

In a communication heretofore made to you, the opinion was expressed, that the number of navy yards now established and in operation, was greater than was required for the present wants of the naval service, and that a part of them were liable to the further objection of inconvenient location, both from their great distance from the ocean, and the deficiency in the depth of water for the larger classes of vessels.

This opinion has not been changed by any information since obtained, or by subsequent consideration of the subject.

Should it, however, become the necessary policy of the government, to make a great addition to its naval force, it is possible they may all may be found useful, especially for the repairs of the smaller classes of vessels, and as depots for materials for the navy, collected from the contiguous country.

Whatever course may be pursued in relation to these establishments, it is believed to be of the utmost importance to the security and general interests of the navy, that other positions be sought for, possessing greater advantages, and not liable to the objections which have been mentioned.

Few positions on our maritime frontier offer all the requisites for such purposes. But where these are found, it cannot be good policy to neglect the measures necessary to secure the possession and improvement of them.

The advantages believed to be possessed by the Dry Tortugas, in the Gulf of Mexico, for such an establishment, have heretofore been represented to congress, and it is much to be desired, that the opinions of the intelligent naval officers who have recommended this position, should be tested by the more minute examinations of engineers, possessing the scientific knowledge necessary for its accurate determination.

Pensacola, as a place of depot and resort for vessels of war, requiring supplies or repairs, has much to recommend it, being contiguous to that part of the United States' coast which, it may be presumed, it will long be necessary should be guarded, particularly by that class of vessels, which can safely enter its harbor, possessing a healthful climate, and the country in its neighborhood abounding with the best materials for the construction of vessels of war. But, as a place of general rendezvous for fleets or squadrons composed of ships of the largest classes, it cannot, in the present state of the entrance into its harbor, be regarded as offering the required facilities.

From a report made by the department of war to the house of representatives on the 5th February, 1830, it appears that a survey was made of this harbor during the preceding year, with a view of determining the practicability of deepening the channel of the entrance into this harbor, and thus adapting it to the great purposes of a naval depot for the United States' navy.

The result of this survey was entirely favorable to the expectation of success from such an undertaking, and at an expense not estimated to exceed $107,000. Whether the work, if it would be accomplished, would secure a permanent facility of entrance, uninfluenced by the operations of the tides and storms, can only be determined by the experiment. The object, however, is one of deep interest to those sections of the United States, embraced within the valley of the Mississippi, as well as to those engaged in conveying their productions to market.

The communication made by the commissioners of the navy, dated 19th October, 1829, and addressed to you, with the report on naval affairs, at the commencement of the last session of congress, afforded some views in relation to the fitness of the harbor of Newport, Rhode Island, or some place in the Narraganset bay, for a naval depot and rendezvous for the United States' navy.

From this it appears that the general advantages of this harbor or bay, for such purposes, are, in some respects, superior to any position east of the Chesapeake bay. In addition to the information furnished by this document, it will be found, on reference to the surveys of captains Evans and Perry, made by order of the navy department in 1815 and 1817, that the places referred to, combine almost every advantage desirable for such an establishment; especially a facility of ingress and egress, with a sufficient depth of water for ships of the largest classes, and of a capacity to permit the largest fleets to ride within their waters, in security from storms, or obstructions from accumulations of ice; that its proximity to the ocean, gives all the advantages of convenient attack or retreat from an enemy; and that, from the number and nature of the channels of entrance and departure, a fleet could not be blockaded within it, without an application of force incomparably greater than the one intended to be shut up; and that it is believed to be defensible at an expense, far less than that which has been incurred for similar objects. In addition to these important advantages, it is described by the officers above named, as admitting of the entrance of vessels, with the wind blowing from points of the compass during the prevalence of which, it would be impossible to make a port in any harbor on the eastern coast of the United States. This peculiar facility might, if the harbor was properly defended, result in the security of a fleet from the attacks of a superior enemy, and affords the strongest inducements to provide for its scientifical survey, and the determination of all the points connected with the subject.

It is respectfully recommended that an appropriation be made, authorizing such survey by the proper engineers, of the harbor of Newport, or other positions on Narraganset bay, with a view to the selection of a site, offering the greatest number of these advantages, and susceptible of defence at the least expense to the nation.

Some difference of opinion having taken place between the commissioners of navy yards, who were appointed to examine the sites at the navy yard, in Brooklyn and Governor's island, to determine which of the two positions was more eligible for a naval depot and building yard, no selection had been made for the buildings which were required for the several purposes of the establishment. This yard had consequently remained unimproved, to the great injury of the store of materials which had been collected there, as well as the general operations of building and repairing.

The subject having been referred to your consideration, and all the documents explaining the relative advantages of the two sites having been laid before you, it has, in conformity with your opinion, been ordered that the timber houses shall be erected at the old establishment at Brooklyn, until further surveys can be made, affording such minute information, as will justify a final disposition of the subject.

The papers herewith transmitted, marked F, furnish statements, communicated by the board of navy commissioners.

No. 1, shows the number of vessels of war in ordinary at the different stations, their present condition, and the progress which has been made in protecting

them from the effects of the weather, and the expense which must be incurred for their thorough repair.

No. 2, shows that there are now on the stocks, well protected from the weather, and in a very advanced stage of preparation, five ships of the line and seven frigates. These can be readily finished and put in commission, whenever the exigencies of the service may demand an increase of the naval force.

An important circumstance attending this condition of the vessels alluded to, is, that they may be retained for any length of time in their present situation, without material injury from any cause of decay, and that this is effected, at an expense scarcely worth estimating.

No. 3, exhibits the measures taken for the protection of the vessels in ordinary from further decay.

The list marked 4, giving a view of the quantity of materials for the navy collected at the several places of depot, shows that, making all due allowance for that portion which has been rendered unfit for use, by their long exposure to the weather, there is still remaining a large supply of the most valuable qualities.

The great loss which has been suffered from the causes mentioned above, has made it necessary to urge the adoption of measures to prevent its future occurrence; and instructions have been issued, to provide, in time, the necessary houses and timber-sheds, so as to guard against the injurious exposure of the materials to the weather, after they shall have been deposited at the respective navy yards.

The accompanying extracts of letters, marked G, addressed to the department by the officers of the navy, who have had opportunities of witnessing the employment of canvass made from cotton, on board their respective vessels, are herewith presented for your consideration.

The results of their observations go far to confirm the favorable anticipations which have been entertained of the value of this kind of canvass. And the opinion may now, with some confidence, be offered, that this article of domestic production will ultimately supersede the necessity for the importation of foreign hemp, for the manufacture of a large portion of the canvass required for the United States' navy.

The laws for the government of the navy are believed to require revision. Under the vague and indeterminate provisions of these laws, it can scarcely happen, that similar degrees of punishment, will be awarded for similar degrees of offence.

The tribunals invested with the power of trying persons, charged with violations of these laws, may, in many cases, (if the party has been found guilty), sentence the offender to suffer the severest penalties of the law, or dismiss him with the mere nominal punishment of reprimand—the words of the law, in several of its most important articles, being that the offender shall, on conviction, &c. "suffer death, or such other punishment as the court shall adjudge."

Amongst the evils and odious features of the law, as an institution, this very uncertainty has been cited as one justly meriting the opprobrium which has been attached to it; and, pervading, as it does, almost every part of this system, it furnishes, independently of other defects, an urgent motive for a reconsideration of the subject by the national legislature.

Believing that the usefulness and reputation of the navy, are connected essentially with its obedience to the laws and regulations enacted for its government, the department, has been assiduously engaged in endeavoring to promote their proper observance, and to cause the duty of its officers, especially of its junior members, to be discharged in alternate routine, thus imposing on each a share of the burdens, and giving to all, the advantages to be derived from a practical attention to them.

In a communication made to the honorable chairmen of the committees of naval affairs in the senate and house of representatives, on the 16th February last, proposing a peace establishment, some remarks were offered, supporting the opinion that it was just and expedient that an increase in the rank of its officers should constitute a part of the naval system.

While the United States' marine was confined to a few frigates and smaller vessels, no advantage could have been gained, in any point of view, from higher grades in the naval service than that of captain. But since the great increase in the number and size of the United States' vessels of war, and as occasions arise in the service for their combination into fleets or squadrons, other duties, arduous and responsible, and requiring the possession of superior nautical science and general intelligence, devolve upon their commanders. These higher degrees of qualification for the service, the fruit of long and unremitting devotion to their acquirement, merit a correspondent elevation in professional rank and distinction.

It has been supposed, also, that superior rank has a tendency to secure the enforcement of discipline, inasmuch as the orders of a superior, are more readily and faithfully observed, than those of one, of equal grade.

The increase may certainly obviate some causes of irritation in the intercourse of the officers of the navy, with those of foreign nations, the least powerful of which, have higher grades than are known in this service, and universally claim honors and percedence according to their rank. These must either be yielded, or intercourse suspended; and this could not but result injuriously, should it be necessary for the United States' vessels to co-operate with those of other nations in any difficult naval enterprize.

The subject of an increase of the pay of the officers of the navy has heretofore been brought to your consideration; and you are again respectfully referred to the suggestions offered in the report made to you on the 1st December last.

In anticipation that this measure will receive favorable consideration, estimates, founded on the scale of increased compensation, proposed at the last session of congress, are herewith transmitted.

The authority which is given to the department to make allowances out of the contingent fund to cover the expenses of the officers of the navy, for various incidental purposes, forms an important item in its duties and powers. The disposition of this large fund is wholly within the control of the secretary of the navy, and its application only limited by his sense of justice and expediency.

Without urging that this diseretion has, at any time, been improperly or unjustly exercised, it may be said, that it unquestionably offers the means of committing great abuses by extravagant grants or allowances to some, while these benefits may be wholly withheld from others.

As far as it is practicable, these allowances, now contingent, should be specifically designated, securing, without the abuse of the fund, a just return to the parties for the sums necessarily expended for such incidental purposes.

This, in many cases, may be effected by legislative enactments, particularly as relates to travelling expenses, attendance on courts martial, either as members or witnesses, the pay of judge advocates, and to officers, engaged on extra duty beyond the limits of their stations, &c.

In the absence of precise legal provision on these points, the allowances in future, will be confined strictly to the sums believed to be necessary to meet the expenses of officers so employed.

In the report made to the honorable the chairman of the committee on naval affairs in the house of re-

presentatives, on the 21st of January last, a recommendation was offered, proposing some modification in the powers and duties of the board of commissioners of the navy.

The department has not found cause to change the opinion then expressed, that a division of the duties of the navy board would have a tendency to secure the discharge of its various duties more for the public benefit; that it would especially favor this, by directing "the undivided attention of the officer to the class of duties which may be confided to his management;" "that this exclusive devotion of his time and talents, to a single train of services, would enable him to attain a more intimate knowledge of their interests," to adopt a better system for their execution; and "that it would secure a stronger individual responsibility for their faithful discharge."

The considerations enumerated above, offer their own recommendation; and being in concurrence with the sentiments of the board itself, a body which from experience has derived the means of forming correct opinions on the subject, it may be fairly presumed that the adoption of the measure will result in much public utility.

The documents marked H, I, K, show the number of deaths, dismissals and resignations, which have occurred within the present year.

The estimates for the year 1831, are herewith transmitted, marked L.

The appropriations for the present year have been found more than sufficient for its current expenditures; and there will remain of them an unexpended balance, probably exceeding one million of dollars.

It has been doubted by many able and observant officers of the navy whether the marine corps, as constituting a part of the naval force, might not be dispensed with, without materially diminishing its efficiency. On this point, the opinions of many of the superior officers of the navy were called for, and presented to the honorable chairman of the committee on naval affairs of the senate, during the last session of congress. These, it appeared, were by no means in accordance with each other; and this diversity of sentiment, amongst persons best qualified to determine the question, has induced the department to withhold any recommendation on the subject.

The laws authorizing the establishment of this corps provide that it shall be governed by the "same rules and articles of war, as are prescribed for the military establishment of the United States, according to the nature of the service in which it shall be employed," &c. Under this provision, it has been determined that marines, while serving at navy yards, shall be governed by military regulation. By this decision, two systems of discipline are brought into operation on persons employed on duty at the same establishment. The inconveniences of such an arrangement, must be apparent. The perfect preservation of good order at the navy yards, demands that the commander should have the exclusive government of all persons, employed in service within the limits of his command.

As a measure tending to give reputation and efficiency to the navy, the cultivation of the minds of those who are to compose its active members is a subject of great national interest. It is a fact which will not be questioned, that the early education of the officers of the navy is entirely unequal to the character they have subsequently to sustain.

Few appointments under the government involve a necessity for more general and scientific attainments. As officers of the navy, they are required to act as judges of the law and evidence, on trials of their brother officers for offences affecting the lives and characters of the accused: as commanders of ships, they should possess not only a practical acquaintance with seamanship, but an accurate knowledge of those branches of mathematics connected with the science of navigation, with astronomy and geography: and, as commanders of fleets or squadrons, they must be well informed on all points of international law, having reference to the rights of neutrals and belligerents, the often recurring question of the rights of blockade, and other interdictions of intercourse between powers standing in this relation to each other; to possess an accurate acquaintance with the modern languages, to enable them to enter into discussions on points of difference which may arise with the representatives of foreign states speaking such foreign language; and it may often happen that the communications can only be advantageously made in the language of the party with whom the subject of dispute may exist. The sons of the wealthy may obtain these advantages from the bounty of their parents; but, without the aid of public instruction, how are the sons of the less affluent to become qualified to command in the naval service?

It may be further remarked, that, while a school, on the most liberal and comprehensive plan of instruction, has been provided for the military talent of the country, and has been endowed with every attribute for the advancement of the education of the youth who aspire to a share in the toils or honors of a military life, the only provision which has been authorized by law for the instruction of the midshipmen in the navy is to be found in the allowance of $25 per month to the schoolmasters retained on board the larger vessels of war.

The reports on the concerns of the navy hospital and navy pension funds will be transmitted as soon as the accounts of the several agents are received. The remoteness of the residence of some of the agents of the pension fund makes it difficult and inconvenient to obtain complete statements of their transactions to be rendered within the time prescribed by the act of 23d April, 1800.

In presenting views of the policy which it may be for the public interest should be pursued in reference to the naval establishment, it may be observed that the rapid increase of the population and general resources of the nation, which has already taken place, and is daily advancing, leaves little to be dreaded from invasions of its territory by an external foe, detached as it is from the great warlike powers of the world.

It will be on the ocean, and in the transit of its mercantile enterprise to distant markets, that the nation may be regarded as most vulnerable; and to this point should its efforts for defence be chiefly directed.

The great expense attending the support of so large a naval force as may be occasionally required to give security to the commercial pursuits of the country, and to protect the accessible portions of the coasts from invasion and attacks of a foreign foe, makes it a matter of leading importance, that a system be pursued, which shall place the resources of the country in a condition to be readily brought into action, whenever the necessity presents itself, without incurring the expense of maintaining such large force, when its services are not wanted.

This, doubtless, will be found to be a task of much difficulty. It may, however, it is believed, in some measure be obtained by steadily adhering to the course suggested to you in a former communication —to provide for the collection of supplies of all the materials for the construction of the navy, which require much time to put them in a condition for use, and which can be preserved without material deterioration or decay; to the preparation of these by seasoning and other processes, and the preservation of them

after being so prepared, until required to be used; to retain no more vessels of war in commission than are required for the immediate wants of the service, and to cause those which it may be judged proper should be built, to be reserved on the stocks, properly sheltered, until their services are called for by the national wants; to provide for the effectual repair and preservation of the vessels in ordinary; to appoint to the service no larger number of junior officers than can be kept actively employed, either at sea, at the stations on shore, or in the acquirement of a knowledge of the various branches of their professional education. On this latter point, it may be remarked, that to keep in the pay of the government, a greater number of these officers than can be usefully employed, is not only a prodigal waste of the public money, but a prodigal abuse of the character of the youth of the country. When thus appointed to the navy, and taken from the guardianship of their natural friends, and thrown, without restraint or occupation, upon society, it can rarely happen, that they escape the dissolute and enervating habits, incident to a life of idleness and indulgence.

Every day's experience gives confirmation to the opinion, that the worst effects to the moral and professional characters of the midshipmen of the navy, result from this state of emancipation from parental guardianship, unrestained by the active discipline of the service to which they nominally belong.

Should the exigencies of the nation demand a sudden increase of the corps, it would be far safer to resort to appointments made for the occasion, than to rely upon supernumeraries thus become negligent and insubordinate, and who, if brought into service, would rather tend to weaken, than to augment its strength.

Other subjects believed to have a claim to consideration are, the state of the unsettled accounts of the disbursing officers, a general survey of the coasts, harbors, &c. The former, was brought to your notice during the last session of congress: the latter, as a measure affording information on the geographical positions, of the principal capes and promontories, the depth and direction of the channels of the bays and harbors, &c., is a subject intimately connected with the security and prosperity of the U. States' navy. To these your attention is again respectfully invited.

JOHN BRANCH.

REPORT OF THE POSTMASTER GENERAL.

Post office department, 30th November, 1830.

To the president of the United States:

SIR: I have the honor to submit the following report of the transactions, condition and prospects of this department.

The expenditures of the department, for the year commencing with the 1st of July 1827, and extending to the 1st of July, 1828, were		$1,623,893 80
The receipts, being the amount of postages returned for the same period, were		1,598,877 95
Showing an excess of expenditure beyond the revenue, for that year, of		25,015 85
The expenditures, from the 1st of July, 1828, to the 1st of July, 1829, were		1,782,132 57
The amount of postages returned for the same period, was		1,707,418 42
Showing an excess of expenditure, for that year, of		74,714 15
The total expenditures from the 1st of July, 1828, to the 1st of July, 1830, were		1,932,707 95
To wit: for compensation to postmasters,	595,234 93	
transportation of the mail,	1,274,009 98	
incidental expenses,	63,463 04	
		1,932,707 95
The amount of postages returned for the same period, was		1,850,583 10
Exhibiting an excess of expenditure beyond the revenue, for this last year, of		82,124 85

This deficit of the current receipts of the last year to meet the expenditures of the department, it will be observed, has not increased, above that of the preceding year, in so great a ratio as that of the preceding year increased beyond the deficit of the year anterior to the 1st of July, 1828. The inference deduced from this fact, as well as the increasing prosperity of the department, will be shown more distinctly in an exhibit of the receipts and expenditures of the department, by half years for the two preceding years. Thus the regular increase of the revenue of the department will sufficiently demonstrate its ability, by its future receipts, to fulfil its extensive engagements, should no considerable charges be created, for a few years more, in addition to those incident to the present establishment.

The expenditures for the latter half of the year 1828, were	$851,190 96
The receipts for the same period,	826,255 36
Excess of expenditure,	24,935 60
The expenditures of the first half year of 1829, were,	930,941 61
The receipts,	881,163 06
Excess of expenditure,	49,778 55
The expenditures of the second half year of 1829, were	948,366 74
The receipts,	892,827 60
Excess of expenditure for that half year	55,539 14
The expenditures of the first half year of 1830, were	984,341 21
The receipts,	957,755 50
Excess for the last half year,	26,585 71

(It should be noted that the excess of this last half year would have appeared, as it actually was, but $17,019 16, had not a portion of the current expenditures that were made in the preceding year been entered in the accounts of the first half of the present year.)

The whole amount of postages from the 1st of July, 1829, to the 1st of July of the present year, as presented in the foregoing statement, is	$1,850,583 10
The amount of postage from the 1st of July, 1828, to the 1st of July, 1829, was	1,707,418 42
Giving an increase in this one year, of	143,164 68
The amount of available funds at the disposal of the department on the 1st of July, 1829, was reported to be	230,849 07
Deduct the excess of expenditure for the last year	82,124 85
Leaves this amount of surplus	148,724 22

The system of financial operations, as mentioned in my report of the last year, has fulfilled all the anticipations of its efficiency. The promptitude evinced by the "depositing postmasters" in general, and the entire certainty of the accounts, both with the banks and those postmasters, exclusive of the security in all these transactions derived to the public from this system, have, in no small degree, contributed to the ability of the department to meet its extensive demands.

In the several states, improvements in mail facilities have been loudly called for; and, in many instances, the growing population and extending settlements of the country have absolutely required them. In making such improvements, care has been taken so to extend them as to give the greatest possible accommodation at the least expense, and in such a manner as would be most likely to increase the revenue. It is in part owing to these improvements that the amount of revenue is so much augmented, though they have, at the same time considerably increased the expenditures of the department. Between the 1st of July, 1829, and the 1st of July, 1830, the transportation of the mail was increased, in stages, equal to 745,767 miles a year;
On horseback and in sulkies, 67,104 miles a year;

Making an annual increase of transportation, equal to 812,871 miles a year, beyond the amount of any former period.

The annual transportation of the mail, on the 1st of July last, was about 9,531,577 miles in stages; and the whole yearly transportation in coaches, steamboats, sulkies, and on horseback, amounted at that period, to about 14,500,000 miles.

The existing contracts for transporting the mail in the southern division, embracing the states of Virginia, North Carolina, South Carolina, Georgia and the territory of Florida, will expire with the current year. In the renewal of those contracts, provision has been made for extending stage accommodations over 1,502 miles of post roads, on which the mail has hitherto been carried on horses only, or in sulkies, and on which the annual transportation in stages will, from the first of January next, amount to 278,656 miles. The frequency of trips will also be increased on 894 miles of existing stage routes, to the annual increase of 138,358 miles; making, together, an increase of *stage transportation* of the mail, from the first of January next, of 417,014 miles a year.

Provision is also made for the more frequent transportation of the mail on different routes, as follows:
Increase of trips on horse routes 31,824 miles a year;
Increase of trips on existing routes, changed from horse to stage routes 118,456 do.
Increase of trips on stage routes 138,358 do.

Making together a total increase of 288,638 do. of transportation of mails in a year, beyond the amount of present transportation in that division, besides the improvement of substituting stages for horse transportation.

Among these improvements are included, a line of stages from Edenton to Washington, N. C.; from Newbern to Wilmington N. C.; a steam boat line from Wilmington to Smithville; and a line of stages from Smithville, N. C., to Georgetown, S. C.; all of which are to run twice a week each way. These arrangements will complete the regular communication, by steam boats and stages, between Baltimore, Md., and Charleston, S. C., along the sea-board, by way of Norfolk, Va., Elizabeth city, Edenton, Washington, Newbern, Wilmington and Smithville, N. C., and Georgetown, S. C.—an accommodation desired alike by the public and the department.

Provision is also made for expediting the mail on many important routes; among which is the whole route between this place and fort Mitchell, via. Richmond Va., Raleigh, N. C., Columbia, S. C., and Milledgeville, Geo.; which line will be traversed in two days less time than at present, so that the mail will run from this city to New Orleans in 13 days after the first of January next.

Allowing the average expense of transportation, by horse or sulkey, to be five cents per mile, and by stages to be thirteen cents per mile, which is about the mean rate paid in the southern division, the value of these improvements, exclusive of the value of increased expedition will be as follows:

Annual amount of transportation changed from horses to stages, 278,656 miles, at 8 cents per mile, (the mean difference)	$22,292 48
To be added for increased number of trips on the same, amounting, annually, to 118,456 miles, at 5 cents per mile	5,922 80
Increased number of trips on former stage routes, amounting, annually, to 138,358 miles, at 13 cents per mile	17,986 54
Increased number of trips on horse and sulkey routes, amounting, annually, to 31,824 miles, at 5 cents per mile	1,591 20
Making the total annual value of the improvements	$47,793 02

The contracts have been made for the ensuing four years from the 1st of January next, including all these improvements, at a sum less than the amount now paid for transporting the mails in that division, by $25,047 87
To this sum add the estimated value of the improvements, as before stated, 47,793 02

And the actual saving to the department in the renewing of the contracts, will amount, annually, to 72,840 89

Besides the very considerable amount gained in the increased expedition of the mails on many routes of great interest to the community, the value of which cannot be well estimated.

In this saving in the expense of the contracts, and the additional revenue which may be anticipated from the improvements they secure, together with the general increase of postages, which is still progressive, will be seen a foundation for the belief which has been expressed, that the current revenue of the department for the succeeding year, will be sufficient for its disbursements.

The rules that have been adopted in relation to the conduct of postmasters, placing the investigation of all official delinquencies under the immediate superintendence of an assistant, and subjecting them to the strict scrutiny of an able and vigilant officer, has been productive of the happiest results. There are, at the present time, in the United States, 8,401 post offices; and among that number, scattered over the whole union, it is not possible to prevent disorders, to the great loss of individuals, and sometimes of the department, without the unremitted and undivided attention of a competent officer. The duties of this branch of the department, under its present organization, have, however, been so discharged as to secure as great a degree of confidence in the fidelity of its officers, generally, as could have existed in any former period, when the number was comparatively small.

I have the honor to be, with great respect, your very obedient servant, W. T. BARRY.

NILES' WEEKLY REGISTER.

FOURTH SERIES. No. 18—VOL. III.] BALTIMORE, DEC. 25, 1830. [VOL. XXXIX. WHOLE No. 1006.

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT $5 PER ANNUM, PAYABLE IN ADVANCE.

☞The report of the secretary of the treasury, (demanding a prompt insertion), together with the holiday—(the date of this number), has left us less than the usual discretion as to the contents of this sheet; but at a time like this, when we cannot insert one fourth part of what we desire, it must not be expected that we should be altogether satisfied with the contents of our pages—the wish being ever-present that room might have been made for yet many *other* things.

A PART AND THE WHOLE—OR ERRORS IN TRUTH! The worst sort of *mistakes* set before the people are those wherein the words of truth are managed to propagate error. Sometimes this happens through carelessness,—or too hastily adopted opinions, concerning a general subject,—but most frequently, a cold calculation is made that a falsehood may be sent forth in the words of truth—and so, in vulgar phrase, leave "a hole to creep out at." The latter class of persons are among the most contemptible of mankind—having every disposition to acts of baseness, but too cowardly to meet the responsibility of them.

The editor of the "Buffalo Republican" by a careless reference to the "Register," I hope, observes—"Mr. Niles goes for the tariff, but then he seems to undervalue it as a system of protection, for he says that the least taxed and the most cheaply fed will command the market."

True—very true—very true, indeed, I have said all this, and yet in the expression of sentiments as much opposed to the opinion attributed, as light is to darkness. Time was, when a "mousing owl" might have "hawked at and killed" Alexander, Hannibal, Cæsar, Richard the lion-hearted, Cromwell or Napoleon—Washington, Wellington or *Jackson!* All these were once not only unable to enter into competition with *men*, but could not supply themselves with one morsel of food to sustain life. They were *nursed*, as Britain has nursed her manufactures—as a kind mother rears her child; and, in turn, became qualified as well to defend themselves as protect others. Our manufactures, in some few branches exceepted, are yet only in the "gristle of manhood"—like a young Hercules, they are contending with *serpents in their cradle*, but must gather much strength before they can encounter the Nemeæn *lion* in the field. But that they will meet and beat the lion, in manly competition, and wear his skin as a trophy, if protected, no one can doubt, unless *nullificated* by treason against the public welfare; and *then*, if less taxed and more cheaply fed, in the United States than elsewhere, our manufacturers will surely have the market.

Does the editor of the "Buffalo Republican" remember how the navigation of the United States was built up—how it was nursed and protected until it met that of England, on the open sea, in fairest competition, and now is the cheapest and the best in the world? Does he not know how our little navy, (whose brilliant exploits, and even on the lake which he sees daily, have exalted the national character), was fitted for the fight? Armed men, as in the days of Cadmus, do not spring up from the earth. Every point of perfection is gradually attained. A tenth part of the time, and a tenth part of the protection, which England has extended to her manufactures, will place our's out of her influence, as it regards our own market, and the general market of the world.

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In speaking of the president's message, the Philadelphia "American Sentinel" says—"Eleven millions three hundred and fifty-four thousand six hundred and thirty dollars of the national debt has been *paid off*"—"and on the 1st of January, 1831, a balance will remain in the treasury little short of five millions!!!"

One would suppose from this, that the principal had been reduced in the sum of 11,354,630 dollars. It is not so. A considerable amount was paid for interest, which is a *current expense;* not a part of the *public debt*, in the ordinary and fair meaning of the term. Why was not the editor of the "Sentinel" content to use the correct language of the message itself, and say so much had been paid "*on account*" of the public debt? And why the three notes of admiration(!!!)—as if nothing of the kind had ever happened before, and although money had not been *saved* by the presidential veto?

In the year 1830, there will be paid on account of the public debt	$11,354,630
And remain in the treasury 1st Jan. 1831	4,819,781
	16,174,411
In the year 1828, there was paid on account of the public debt	12,163,566
And remained on the 1st Jan. 1829	5,972,435
	18.136,001

Now this would shew an operation of two millions of dollars in favor of the last full year of Mr. Adams' administration compared with the first full year of gen. Jackson's—but there may not be claimed for the former any particular praise, nor should the latter be censured. The payments in neither year depended on the president, more than the weekly payments of my hands in the printing office depend on my foreman. In the one case, the money is provided by the people, through their representatives, and in the other by myself; and it is not less ridiculous for a president to say what *he* has done or what *he* will do, than it would be for my foreman to assert the dependence of his fellow-workmen on *himself* for the wages that they have earned. I do not intimate an opinion that any president has been, or that my worthy foreman ever will be, so silly—as to take a *personal* credit for such payments.

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Again—We meet with the following article in the *Albany Argus*, credited to the *Boston Statesman*.

"*West India trade.*—The federal papers have affected to believe that this trade, lost by Mr. Adams, and acquired by gen. Jackson, is of little importance. Facts are more valuable than opinions upon this subject. We have, therefore, obtained the following statement of the foreign trade of this port for the last quarter, ending 30th September:

Whole amount of tonnage cleared for the foreign trade,	22,584 tons.
To the British American colonies,	5,945 tons.

So that it seems that even under the system of restrictions, our trade for the last quarter to British American colonies, was more than a quarter of our whole foreign trade, and only 755 tons of this was British shipping. The tonnage cleared for Cuba in the same quarter was 3,342 tons.

When the intercourse shall be fully established, we may safely calculate that our trade with the British colonies will more than double."

The article is headed "*West India trade,*" but the shew of figures belong exclusively to the "*British American colonies*"—that is New Brunswick, Nova Scotia, Canada, &c. between which two there is no direct relation; and the paragraphs, because of their contents, might nearly as well have been headed, "*Latest news from Europe,*" as "West India trade."

The whole tonnage that departed in 1829—(the accounts for 1830 are not yet made up, but will be nearly the same—for the "arrangement" was not known at the end of the treasury year, Sept. 30, 1830), was as follows:

To the B. American colonies—American		93,645 tons.
	British	10,569
British West Indies—American		5,418
	British	none.
To Cuba		114,599

The latter shews the greatest amount of tons, because of repeated voyages, in the whole list of departures, except to England.

We shall see by the treasury papers for 1831, the effect of the "arrangement" concerning the British West India islands; but, regarding the future by the past, we have no sort of hesitation in predicting the amount of American tonnage proceeding in that year to the British American colonies and the West Indies, generally, will be considerably less than in 1829. That is, that an opening of the British West India ports will decrease the amount of American tonnage employed in the trades stated—else what has happened will not happen again. But *experience* should be regarded as the best teacher, though the school is oftentimes a "dear" one. We really think that the general trade of the United States has been injured by this arrangement—while heartily wishing that it may accomplish the best hopes of those who feel so much gratification because of it. We shall soon, perhaps, have all the papers concerning it, and in a little while see its *practical* effects—yet so it is, that every merchant in Baltimore, trading to the West Indies, we believe, would rather have the British ports shut than open; and their knowledge of the trade should command respect.

Since the preceding was prepared we met with the following letter, from St. Thomas, as published in the United States Gazette. It is natural that a resident of St. Thomas should regret the arrangement, but we fear that the facts stated will be found nearly true.

St. Thomas, 19th Nov. 1830.

Flour at present is abundant and without demand. Sales are not to be effected at this moment; Philadelphia nominally, at $6. Baltimore, $5¾—but in case any quantity was wanted, it could be purchased lower. If things continue as at present, it is to be feared that the stock cannot be got off in time to prevent its spoiling—persons connected with the British islands will not purchase, from the supposition that supplies of American produce will soon be received in abundance direct from the United States. It is supposed the repeal of the orders in council will arrive in the islands in all December. In all probability, the consumption of the English islands is overrated in the U. States, and that when the ports are opened, larger quantities of bread stuffs will be sent to them than can be sold; in which case, many vessels will come this way in search of a market, and keep this place over stocked for some time. The trade of the United States has been seriously injured by the present arrangement; you have lost the carrying trade of almost the entire supply of the British islands to their very doors, where they were obliged to take them, and pay in the way which was most advantageous to the American merchants; you also had the freighting of their colonial produce to the United States in your own ships, whereas, this carrying trade will now be done principally by British provincial vessels, which will go to the U. States from the W. Indies with a cargo of colonial produce, load them with bread stuffs, and proceed to New Brunswick and Nova Scotia, then enter their flour and pay a duty of 1*s.* sterling per bbl. other bread stuffs in proportion; and keep on board the quantity they may want for the supply of the islands they trade to, fill up with fish, and enter their flour and bread stuffs in a British island free of duty; whereas, the American ships pay 5*s.* sterling per bbl. in specie previous to the landing of the flour, and receive, for the nett proceeds of the cargo, most probably rum, at 35a40 cts. per gallon, cask, $8; or sugar, $5½a6 per cwt. $6 for cask, which must leave a loss of $2a3 per cwt. on the latter; 50a75 on the former. The very duty on lumber, by an American ship in a British island, is almost adequate to a freight out; and the British ships pay nothing, if from the British provinces. Your European trade will also feel sensibly the present arrangement; heretofore a British ship would bring out a cargo of plantation stores free of freight, from England to the islands, provided she was guaranteed a freight of sugar back—she will now have the advantage of proceeding to the United States with a cargo at a small freight, there load a cargo of lumber and bread stuffs for the West Indies, and arrive in time to take a sugar freight to England; the two first freights she can afford to take at half the price that an American vessel can, and still make a more advantageous business than she has been doing, during the period the British islands were closed to the American flag. The security and prompt payment the trade meets with in the neutral islands, must be considerably lessened by the present arrangement.

Rail road to Washington. [*A deferred article.*] We understood, some time since, that the president and directors of the Baltimore and Ohio rail road had been offered, on liberal terms, a large loan of money, if to be used by them for the special purpose of making a lateral road to the seat of the national government: and, at the regular monthly meeting, held on the 6th inst. the following preamble and resolutions, presented by William Patterson, and seconded by Robert Oliver, were unanimously adopted—

Whereas, the legislature of Maryland, in granting the charter conferred upon the Baltimore and Ohio rail road company, did, in order to diffuse the benefits of this system of improvement as generally as possible, authorize the extension of lateral or branch roads to interseet the several parts of this state: And *whereas* the Baltimore and Ohio rail road has been constructed along the most direct and eligible route for a railway towards the city of Washington for about one-fifth of the entire distance, and over by far the most difficult and expensive part of the entire line, involving a cost of perhaps one-half of the sum necessary for the completion of the whole road from Baltimore to Washington: And *whereas,* the actual experiments already made upon railways have clearly demonstrated that an easy, safe and certain communication may be established between Baltimore and the city of Washington at one-third of the present expense of conveyance, and within a time not exceeding two hours: And *whereas,* the public convenience requires that a branch rail road should be conducted to the city of Washington, and there is every reason to believe that such lateral or branch road would not only greatly promote the public convenience, but would also yield a fair remuneration to the stockholders of the Baltimore and Ohio rail road company: Therefore,

Resolved, That the president of this company be, and he hereby is instructed to direct the chief engineer, as early as his other duties will admit, to make a reconnoissance of the several routes which may be deemed eligible for such branch road towards the city of Washington, and that he report thereon, together with an estimate of the approximate cost of such branch road, as soon as practicable, in order that the requisite measures may be adopted by this company to locate and construct said lateral or branch road as early as the necessary funds can be provided for that especial object.

Resolved, That this company will make application to the congress of the United States at its present session, for its permission to conduct the said branch road from its intersection with the line of the District of Columbia, to such point or points within the city of Washington as may be deemed most eligible.

☞ It is supposed that the cost of *continuing* the road to Washington cannot exceed 750,000 dollars, with all the necessary cars, &c.—and the experience gained, causes much reliance on present estimates. The money may, probably, be had at 5 per cent. and the interest will amount to 37,500 dollars. It is calculated by some, that, *with such a road,* 200 persons will daily pass, each way, upon it—but we think this estimate too large for the *existing* state of population and business. We cannot doubt, however, that 100 would pass each way. The charge for conveyance cannot exceed about 112 cents—say one dollar. This would yield 200 dollars a day or 72,000 a year;* and the travelling on the road must have a continual increase; for, without the use of steam power, the journey, without *risk, hurry* or *fatigue,* would be made in a little more than *three hours,* and the intercourse between the regular inhabitants of the two cities powerfully promoted. Thousands of the people of Baltimore, who cannot conveniently encounter the loss of *two* days' time and present expenses, would visit Washington, attend at the capitol, hear a whole day's debate—and return home to their tea, cheered by a delightful excursion, and prepared to enter upon their

* To say nothing of the value of goods transported.

duties of the ensuing day with renovated application or strength. And so it can easily be, in the summer season, that the distance between Philadelphia and Washington may be made "between sun and sun", with an hour or two to spare!* Such facilities will greatly increase the amount of travelling—and we must believe, that the travelling on this road will exceed an average of 200 persons, each way, very soon after it shall be finished.

The Rockville road. The great western mail was recently detained nearly a whole day, because of the wretched state of this road, and the rise of the streams which cross it; and the "Frederick Herald" informs us that, since that time, ten members of congress were compelled to proceed from that place for Washington, by way of Baltimore—*doubling* their distance travelled. We hope that all were *veto-men*.

☞The following articles immediately belong to the general subject, and are therefore added here.

Liverpool and Manchester railway. An extract of a letter from Liverpool under date of October 19, says—

"Our railway to Manchester, (30 miles) has now been in operation for one month, the receipts for passengers only, they being not yet ready for the conveyance of goods, amounts to eight thousand pounds sterling."

That is a good month's work for passengers alone, *thirty-five thousand five hundred and fifty-two dollars, in thirty days*, more than eleven hundred and eighty dollars per day.

Winan's friction wheels. We have frequently had occasion to speak of Winan's friction wheels, which have been so advantageously introduced in the wagons and coaches on the Baltimore and Ohio rail road; and although it was believed from the first that this novel manner of applying friction wheels was decidedly superior to any other heretofore discovered, yet it was by a course of experiments alone that the merit of the invention could be fully tested. Very satisfactory evidence in their favor had been afforded from time to time since they were first adopted, but the most conclusive demonstration of their great value was exhibited on Friday in an examination made in the presence of several gentlemen, at the depot of the Baltimore and Ohio rail road. One of these wagons that had been employed daily in the transportation of burdens of three to four tons on the rail road, and had traversed a distance of sixteen hundred miles, was selected for the purpose. The several parts being laid open to view, the result was highly satisfactory, as will appear from the following statement.

The ends of the main axle trees which revolve *within* the periphery of the friction wheels, and sustain the whole weight of the carriage, were not perceptibly worn, the file marks not being obliterated. The journals or gudgeons of the friction wheels did not appear to be at all worn, but had acquired a remarkable smoothness. The boxes or bearings in which they revolve had suffered no abrasion whatever, but exhibited a highly polished surface. The inner periphery of the friction wheels which revolve around the ends of the main axles, presented a smooth and equal surface throughout, and no apparent wear or abrasion could be perceived.

From the facts above stated, it is evident that wagons or coaches of this construction, besides possessing other advantages of great importance, will not require repairs for a number of years;—they will also consume much less oil, it having been ascertained that one oiling will suffice for three hundred miles, whereas the rail road wagons in England, of the usual construction there, require a profuse supply of oil every ten or fifteen miles. [*Balt. American.*

Locomotive engines. We copy from the Philadelphia United States Gazette the following account of a new invention calculated to promote the interests of those concerned in railways. Our hope is, that when the powers of the machine shall have been fairly tested, the representations of its capacity will be fully substantiated, and that practical proof in this instance may remove some impressions in theoretic knowledge which are calculated to produce doubt of the possibility of using a circular piston to any advantage, when the difference of contraction and expansion takes place. [*Balt. Gaz.*

Rotary engine. Mr. Childs, of this city, has recently procured a patent for a steam engine, which promises to be of great use, especially in propelling carriages on rail roads, upon which it may be made to ascend at almost any desired angle. It is remarkably compact, of very trifling weight, and will draw a carriage at an unusual velocity; it may be made at one-quarter of the expense of Mr. Stephenson's, near Liverpool. Among the peculiarities of its structure, is a circular piston. Mr. Childs will in a few days have one, of a single horse power, in operation, when those interested in such improvements will have an opportunity of judging of its merits.—Our own opinions may be well spared, when we state that doctor Jones, editor of the Journal of the Franklin institute, is said to have full confidence in the invention of Mr. Childs.

New Castle and French Town railway. As a further evidence of the certainty of a successful termination of this important work, and of the valuable results to be anticipated from it, we are informed, that its stock is now selling at $16 per share, upon $10 paid in.

Baltimore and Ohio rail road. Extract of a letter from a gentleman of Lexington, to the president of the Lexington and Ohio rail road company, dated Baltimore, Nov. 25.

"I reached Ellicott's mills on the Patapsco river, last Monday evening, to which point (13 miles) the magnificent Baltimore and Ohio rail road, with a double track, is nearly finished, at a cost of $43,000 per mile, on an average—total $559,076 62. Anxious to obtain minute information as to the general topography of the country above this point—the cost of grading—furnishing the granite sills and rails, and finishing the work, I proceeded on horseback next day for several hours up the river along the road, examining every thing and seeing the work in almost every stage towards completion.—I conversed with laborers, masons, superintendents, engineers—every one from whom I hoped to obtain any information. Any one taking the same course I have done to obtain precise information on the subject, will not hesitate, I think, to say, that this grand enterprise must inevitably succeed. It seems to me, that this stupendous undertaking, worthy the genius and ambition and energy of a Hannibal or a Bonaparte, will as surely be accomplished by the bold, but peaceful quaker, who is the president of the company, and his patriotic associates, as that industry and perseverance can remove a hill or fill up a ravine—or that the power of steam can overcome the rapid current of the Mississippi. Speculation is discarded—all theory may be thrown aside—facts, irresistible facts, alone now speak and cannot be overcome or denied."

EXTRACT FROM A LETTER FROM A GENTLEMAN OF NEW JERSEY TO THE EDITOR OF THE REGISTER. "I have desired to make a few remarks on *"protection to home industry;"* a subject you appear to have much at heart, that you labor at with unwearied industry, and, I hope, with ultimate success.

"The opposition made to this protection either in the south, or in the north, is one of those incomprehensible things I cannot fathom. Men have, however, yet to learn, it seems, that the prosperity of each individual of a na-

*We have expended *twelve* hours in getting from Baltimore to Washington—besides paying five dollars for stage fare and subsistence on the way—together, as we esteem both, to every active business-man, ten dollars—instead of about three dollars, counting both *time and money*, by the rail road. What a large saving will this produce to the people, generally—and how pleasant will it be to *members of congress*, who, arriving at Baltimore even at 9 o'clock, A. M. on the first day of a session, may be in full time for the meeting of the house, and, at the cost of *one* dollar, receive *twenty-two* dollars, for travel and attendance on that day, without pressing upon the strictest rules that might be suggested by the wonder-working "committee on retrenchment,"—which cost the nation, perhaps 60,000 dollars in its issue, to destroy the place of draftsman to the house of representatives,—which, two or three weeks afterwards, it was discovered could not be advantageously dispensed with, and was restored, by the same body that had *nullified* it!

tion is what constitutes the prosperity of the whole; and by a parity of reasoning, the prosperity of each individual nation is what constitutes the prosperity of the universe.

"The correctness of this theory too, is demonstrated by the fact that the vast mass of the trade of the world is between nations far advanced in civilization, in the arts and in agriculture:—12,000,000 of civilized beings of the United States, although the rivals of England in agriculture, manufactures and commerce, consume more of her agricultural and manufactured products, and employ more of her shipping, than 100,000,000 of the barbarians of Africa, and 300,000,000 of the semi-civilized inhabitants of eastern Asia. You can no way so quick destroy your commerce with other nations, as by reducing them to barbarism and poverty.

"The safe and profitable, and natural commerce between distant nations, and distant states, is what results from diversity of climate, diversity of products and of occupations: the same thing holds true in the fullest extent, and in all possible variety of forms, with respect to the trade between individuals living contiguous: the more their occupations can be diversified, the more certain they are to have steady and profitable employment for the whole, the weak and feeble as well as the strong, and those possessing a less, as well as those possessing a greater degree of intellect.

"This vast diversity of employment too, makes a market for an immensity of the original materials of which all countries more or less abound, but which can only have a market by the near vicinity of the manufactory in which they are used; and the collecting, and the first or rude preparation of these materials, forms, in itself, an immense labor.

"In England, a much greater amount of labor is connected with and dependent upon the collection of the bones, horns and hoofs of animals, and a much greater amount of money circulated by the trades connected with, and dependent on *those materials*, than the labor dependent upon and money circulated by the whole cotton crop of South Carolina, having reference to the labor and circulation of money which it gives rise to within that state.

"The greater or less value of all the original materials which enter into the manufactures and commerce of the world, depends upon their vicinity to or distance from the market in which they are consumed:—An immensity of the original materials which enter into the thousand arts of civilized life, are so far removed from where they can be made of value by the manufacturer, that they are absolutely valueless. The smallest exertion of thought will fully illustrate this idea. Millions of tons of the finest timber, such as would be worth a dollar per cubic foot, on the banks of the Thames, is perishing on the ground, not being worth the transport—refined gold might be placed where it would not be worth the transport to the mint, and back in coin.

"The highest possible value of all the original materials of a country, are obtained by placing the first producer of them, and the manufacturer, and the consumer, in near vicinity. All the expense of transporting materials and provisions, and manufactured goods to and fro, from the producer to the manufacturer, and from him to the consumer, and the time lost in thus transporting, which is an interest lost on the capital employed, are real losses to the nation.

"The comfort, happiness and prosperity of nations, their wealth, power, splendor and glory, consists in these few simple elements—extent of country; diversity of climate; richness of soil; abundance and variety of vegetable and mineral productions; and a numerous, robust, intelligent population, employed in converting the original materials into the articles of necessity, convenience or luxury, which the wants or vanity of man may require.

"There is no mistake in the correctness of this proposition. It is so self-evident as to require no illustration—and absolutely to defy refutation.

"Each of these original elements are essential to a full developement of national prosperity and splendor. No one of them can be fully dispensed with, nor is any thing beyond them required. A just proportion of them, as it would constitute the power and prosperity of the nation to all desirable, I may say to all possible extent, would be the boundary of the patriot's wishes.

Of all but the last of these original elements of prosperity and greatness, we are in full possession: and the last, under the protecting system, we are rapidly acquiring. And here it may be asked, whence the necessity of protection to the industry and labor of a people possessing all the original materials on which to exercise their industry? I answer, this necessity comes from the fact that the industry of other countries is protected; that we are not permitted to enter into a fair competition with the labor and industry of other nations, that long experience in the mechanic arts, and large capitals already acquired, enable the foreign manufacturer to supply our market on as good or better terms than our manufacturer can, at his first commencement, and added to this, that the foreign manufacturer, aided and sustained by ages of experience and immense capital, long since acquired, will, in order to destroy our just commencing manufactories, and to have a future monopoly of our market, furnish us with *a present supply* at less than cost.

"Protection afforded to our mechanical industry, enables them to stand up under the attacks of foreign rivalry, until so much of experience and capital are acquired as to bid defiance to all foreign competition:—One of the first fruits too, of *effectual*, (*not* "JUDICIOUS") protection is, to invite so much of both native and foreign skill, experience and capital into the manufacturing branches, as to produce all needful rivalry and competition, and to reduce the prices of all the articles thus protected to the lowest minimum at which they can be any where afforded.

"Such are my views of this element of national prosperity and greatness.

"In a country abounding, as does the United States, with all the original materials of the most extensive manufactories, and with provisions for the workmen, to protect this branch of industry is to stamp a value upon these original materials, where otherwise they would be, in most cases, valueless,—it is to secure a home and a certain market for our provisions in place of a foreign and very precarious market, or perhaps in place of no market whatever. It is to procure comfortable and profitable employ for a vast number of the more infirm and feeble of our population, who are inadequate to field labor; and whose labor in the field, if they could perform it, would be valueless, from the want of a market for the products either at home or abroad.

"Effectual protection to this element of national prosperity and greatness, sustains the value of real estates every where; it profitably employs all our monied capital, which otherwise must go to distant countries, at low rates of interest. It builds up villages, towns and cities; it condenses our population, and consequently lightens all the burdens of government, by spreading that burden over so many more shoulders who are to bear it up.* In fine, it is the mighty lever which moves almost the whole of the import, export, and coasting trade of all nations.

R. L."

LETTER FROM A NORTH CAROLINIAN—*To the editor of the Register—dated Dec.* 6, 1830. "Accept my thanks for your kind attention to the *North Carolina* queries.† Your answer to them, with your "Politics for Farmers," have given me much pleasure and improvement. Several of my friends, to whom I have shewn them, have been equally pleased, and surprised, to find their errors corrected. I really begin to fear if I do not quit reading your facts and figures, they will convert me to heresy; and I think a majority of our good people would be in equal danger, if exposed to the same temptation! My friends ask—can it be *true*, that many articles sell for only *a little* more than the duties on them? and if that some are absolutely sold for less? For, say they, we have been taught that enough is always added to the price to cover the duty, and that all who consume articles

*If a *thousand* persons in a given district of country have to make the same roads, or build the same bridge, court house, academy or college, as one hundred people in another like district—which is frequently the case over the United States, certainly the burden of the one hundred is ten times as great, as the burden of the thousand.

†See Register of July 24, 1830—vol. 38, page 281.

pay so much in addition, to what they would have paid, had such articles not been so highly taxed. When asked as in reply, what *prices* they pay for certain articles and are told what the *duties* are, they begin to reason from new premises, and wonder that they have been kept in such ignorance of "things as they were." Almost every man among us, I believe, is willing to agree to the following general propositions.

1. Could all the world continue in a state of peace, it would be best to have "free trade," in the most unlimited sense of the term; that the duties charged on imports and exports should be the same, in all countries: or that there should be none in any.* But since this cannot be, and, in time of peace we must prepare for possible war—

2. Each nation should make for herself, during peace, all that she cannot do without in war;—even if the price is higher. Had this policy been pursued in the United States, our soldiers would never have frozen for want of blankets and suitable clothing, or been compelled to give the British the butts of their muskets for want of powder and ball: nor would our farmers have been forced to give in this very town five dollars a bushel for salt, at a time when money was obtained with the greatest difficulty.

3. All other articles should be manufactured at home which can be made as well and as cheaply as abroad. And—

4. As foreign trade is much more liable to be interrupted than the domestic, by war or legislation, either judicious or capricious, and as our own manufacturers are not *prevented* from eating our own *bread* and *meat*, as foreigners oftentimes are—it is better to buy *where we can sell* and where the market is more steady, even if we *give a litle more or get a little less.*

5. In our own case, it is thought better that the profits of our trade should be kept at home, than go to increase the power of our rivals and aggrandise those who cannot have any sympathy with us.

6. On the whole, it is better we should be *independent* of foreigners for all the munitions of war, the necessaries of life and its conveniences also.

With luxuries and superfluities foreigners may supply us, unless we can cheaper supply ourselves. *Our own country, and our country-men for ever!*

As to our "free trade" ancestors, who are so concerned for *our true interests*, and complain so much of *our want of reciprocity*, we say, we have a proper sense of such *disinterested kindness*, and acknowledge the justness of the complaint! Their duties on our productions are so high, that it cannot be reciprocal!

APPOINTMENTS—by the president, by and with the consent of the senate:

James W. Ripley, to be collector of the customs for the district of Passamaquoddy, in the state of Maine, vice Leonard Jarvis, resigned.

William Claggett, to be naval officer for the district of Portsmouth, in the state of New Hampshire, vice Elijah Hall, deceased.

Leonard M. Parker, to be naval officer for the district of Boston and Charlestown, in the state of Massachusetts, vice John P. Boyd, deceased.

William G. Hammond, to be surveyor for the district and inspector of the revenue for the port of Newport, in the state of Rhode Island, vice John Slocum, deceased.

Arthur Taylor, jun. to be surveyor for the district of Norfolk and Portsmouth, and inspector of the revenue for the port of Norfolk, in the state of Virginia, vice Copeland Parker, deceased.

PENNSYLVANIA. After seven meetings of the two houses of the legislature of this state in convention, and on the 21st ballot, William Wilkins, esq. of Pittsburg, was elected a senator of the United States for the state of Pennsylvania—with which we have manifest reason to be satisfied, for he is a resolute and staunch friend of the *whole* policy that we desire may be pursued, and highly-gifted to defend it.

The following shews the force of the different gentlemen in nomination, and will afford much matter for reflection to those who understand the *politics* and *feelings* of parties in Pennsylvania.

	1st vote.	2d.	3d.	12th.	20th.	21st.
Samuel McKean,	24	27	29	33	27	—
Harmer Denny,	31	31	30	30	27	10
Charles J. Ingersoll,	9	9	9	—	—	—
W. G. Hawkins,	15	17	16	15	15	—
James S. Stevenson,	11	11	11	26	16	31
William Wilkins,	6	9	8	15	30	72
William McCreery,	5	2	1	1	1	—
Richard Coulter,	2	7	7	2	7	11
Thomas Irwin,	4	4	4	—	—	—
William Ramsey,	7	5	3	—	—	1
James Buchanan,	2	2	1	—	—	—
George M. Dallas,	6	5	6	6	7	5
Joseph B. Anthony,	3	—	—	—	—	—
Isaac Wayne,	1	1	1	—	—	—

☞ We "*announce*,*" and do it with great pleasure, indeed, that James S. Stevenson, who "announced" many *queer* things during the proceedings on the tariff question in 1828, has been again, and again, and again, "announced" unfitted, (by the people of honest Pennsylvania), to have any more to do in making the laws of the United States.

SMALL DEBTS. The Philadelphia Gazette publishes a statement of forty cases of imprisonment by magistrates of the city and county, in which the sum total of debt was but $23 40¼, while the cost amounted to $70 20. In one of these cases, a man was imprisoned *thirty* days for a debt of *two cents*. In another case a debt of $1 50 appears to have been divided into two debts of 75 cents.

NATIONAL EXPENDITURES. A document yesterday transmitted from the treasury department, in answer to a resolution of the house of representatives, passed at the last session of congress, presents facts highly necessary to the formation of a proper estimate of the character and policy of the national government. It is a "statement of the disbursements made since the adoption of the federal constitution, under the following heads: fortifications, light houses, public debt, revolutionary and other pensions, and internal improvement; shewing, as far as practicable, the amount disbursed in each year, and in each state and territory." The statement comes up to the close of the year 1829, and exhibits the following aggregates:

There has been disbursed for	
Fortifications,	$13,420,639 24
Light houses,	3,348,716 35
Public debt,	180,303,679 31
Pensions,	20,492,647 27
Internal improvement,	5,310,930 11

The later sum of expenditure, being that to which exception has been taken on the score of its prodigality, embraces "the building of piers, preservation of ports and harbors, making roads, and removing obstructions in rivers." And of the amount here stated, $2,443,420 20 was expended on the Cumberland road, leaving for all other expenditures under the comprehensive head of internal improvement, $2,867,509 91 only.

[*Nat. Int. Dec.* 22.

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*This cannot be—unless the people of all nations are reduced to the same habits. The full-fed American laborer cannot exchange a day's work with the East Indian or Chinese, unless it shall please an All-Powerful Providence to give to each the *same* habits as well as the *same* soil and climate—the *same* dispositions and the *same* wants, with the *same* power of production. The whole systems of nature and art must be changed, before there can be a universally advantageous system of "free trade"—and by no men is this better understood than by the rulers of England. To preserve their West India colonies, they impose an extra duty on the sugar of their East India colonies, which, in its *extra* amount, is pretty nearly equal to the first cost of the article in the latter. There is no such thing as "free trade," in the strict meaning of the term. The idea is altogether of the Utopian character. Our correspondent means a *liberal* trade. ED. REG.

*"I thank thee, Jew, for teaching me this word." "Shakspeare--Ahem!"

The annual estimates were yesterday sent in by the treasury department to congress. The amount estimated as necessary to be appropriated for the service of the year 1831, is for the civil list, foreign intercourse, and miscellaneous, 2,144,319 dollars; for the military service, including fortifications, armories, arsenals, ordnance, Indian affairs, pensions, and internal improvement, 5,589,051; for the naval service, 2,835,194 dollars. To shew the whole amount to be subjected to the disposition of the executive in the year 1831, must be added to the above, the amount appropriated already for the service of the year 1831, including public debt, gradual improvement of the navy, arming militia, subscriptions to canal stocks, revolutionary claims, and Indian affairs, viz. $11,284,345; also, the surplus of appropriations for 1830, viz. $1,373,154; and existing appropriations which will be required to complete the service of 1830 and former years, but which will be expended in 1831, amounting to $3,740,552. [*ib.*

Brief notices. The legislature of Indiana is in session--gov. Ray's message fills eleven newspaper columns. A majority of more than twenty, in joint ballot, is said to be in favor of "National Republican" principles.

Mr. Alexander Buckner has been elected a senator from Missouri, on the first ballot, in the place of Mr. Barton after the 3d March next. For him 34 votes, for gov. Miller, (present governor) 27, Mr. Ashley 2. All the opponents of the present national administration voted for Mr. Buckner, and five others—though the Times emphatically says that "previous to the election, Mr. B. declared himself unequivocally the friend of the tariff and of internal improvement, opposed to the system of proscription adopted by the present administration, and the friend of Henry Clay. Under these circumstances and these *pledges*, our friends gave him their votes, to a man; and there can be no doubt that the opinions of those persons who voted for him on personal considerations, coincide with his own on all subjects of national importance."

And it appears, on the testimony of very respectable citizens of Missouri, now in Washington, that, as much as twe months since, Mr. Buckner publicly proclaimed the same sentiments, in their hearing—but he is claimed as a friend of the administration. We think it probable, that pledges not to vote for Mr. *Barton*, cover all the difficulty.

The present population of the state of New York, though the census is not altogether complete, is supposed to be 1,934,596—and which probably is very near the real number.

So far as the returns are known, it seems probable that Virginia has increased at the rate of about 15 per cent. in the last ten years—and that the increase of free persons is at a much greater ratio than that of slaves.

The Lexington, (Ky.) Gazette says, that numerous counterfeit ten dollar notes, on different U. States bank branches, are in circulation in Kentucky. They are said to be well executed.

In New York, on Saturday, a sale of 23 shares U. S. bank stock was made at $131 per share—the strong ground taken against the bank in the president's message to the contrary, notwithstanding.

We notice several late robberies of the mail, by persons without, or *within*, the post-offices—and we have increasing complaints of the irregular, or non-arrival, of our paper. The fault is not with us.

The idea is becoming very general that president *Jackson* will decline a re-election—which, indeed, is a natural construction of his former declarations and the contents of his late message to congress.

An election was recently held at Charleston for a member of the legislature in place of Mr. Legare, who had accepted a disqualifying office, and resulted in the choice of Mr. Petigru, an anti-nullifier, over Mr. Laurens, by a majority of 225 votes. For Mr. P. 1,266—Mr. L. 1,041.

The commissioners of the navy, being opposed to a *nullification* of the union between *ships* and their *anchors*, and friendly to a linking of them together, are advertising for *American* chain cable-iron. We trust that it will hold the bearers of the "star-spangled banner," in severest storms. Let us not have a protest against this! We cannot *crawl* to England in a case so delicate!

Mountfort Stokes has been elected, by the legislature, governor of the state of North Carolina, in the place of governor *Owen*, who declined a re-election. On the 9th balloting, the votes were for gen. Stokes 111, and for R. D. Spaight 75.

We have a copy of the proceedings of the Kentucky convention, (290 members attending), at which Mr. Clay was recommended as a suitable person to be supported, at the next election of a president of the United States—but cannot *get-in* the account this week.

Important law case. In the circuit court of the United States for the eastern district of Pennsylvania, Judge Hopkinson on the bench, the cause of Livingston, Nicholson, and others, against Moore, Mahon, *et. al.* came on for trial yesterday morning. This action was instituted to recover nine tracts of land in Cumberland co. held by the defendants under purchases from the commonwealth of Pennsylvania. The plaintiffs are lessees and heirs of the late John Nicholson, formerly comptroller general of the state. The legislature of Pennsylvania, after judgments to the amount of upwards of one hundred and ten thousand dollars were obtained against Mr. Nicholson, for debts due or alleged to be due, from him to the commonwealth, passed a law authorizing and directing certain commissioners to sell his lands, wherever they might be found, to satisfy these judgments. Under sales thus made, the defendants hold their tracts in Cumberland.—The plaintiffs allege that the proceedings of the legislature in the case were unconstitutional and unjust; and they bring the present ejectment to try the merits of those proceedings, and to recover the property of which, they say, Mr. Nicholson died legally seized, for their own benefit and that of his private creditors. Two or three millions of dollars are probably involved in the final decision of this cause.

The court yesterday overruled a motion made by Mr. Sergeant to postpone the trial, and it is now proceeding.

The honorable Edward Livingston of Louisiana, William Rawle, Charles J. Ingersoll, and Benjamin Tilghman, esqrs. of this city, are the counsel for the plaintiffs. James C. Biddle and John D. Mahon, esquires, the latter from Cumberland, are the counsel for defendants: And John Sergeant, esq. and the attorney general, appear for the commonwealth, to defend her interests in the cause. The indisposition of Mr. Binney, also engaged for the state, prevents his appearance. [*Penn. Enquirer.*

[After further proceedings, this important case has been referred to the supreme court of the United States.]

FOREIGN ARTICLES.

At last, we have an arrival at New York from Havre, bringing Paris papers of the 3d Nov. and because of the period embraced in the interval between the arrivals, a large mass of matter has been presented: but we have only time or room for brief notices of some leading things.

The prince of Orange left Antwerp for London, on the 25th Oct. On the next day, the volunteers attacked the city, and, after considerable fighting, became masters of it; the Dutch troops retiring into the citadel, from whence they commenced a furious bombardment of the city—and the vessels of war in the Scheldt also opened a terrible fire upon it—and balls, and bombs, and Congreve rockets, flew in all directions—the people, for the want of heavy guns, could hardly return a single shot. The city was soon in flames—the horrors of desolation spread with wonderful rapidity, and to the groans of the wounded were added the cries of women and children, tearing their hair, and flying they knew not whither. In this terrible state of things, a deputation was sent to the citadel proposing a suspension of hostilities till the morrow—this was agreed to; but a few muskets being fired, the work of destruction was resumed, and a mighty loss of life and property followed. Baron Chazal, commander of the Dutch troops in the citadel, demanded the evacuation of the city. In the mean time, large bodies of volunteers arrived from Brussels, &c. and, after

yet more fighting, it was agreed that hostilities should cease, the parties retaining their ground, until the will of the king, as to the delivery of the citadel, should be known. The loss of property is enormous—the value of 100 millions of francs, one half British, is said to have been destroyed in the custom house, only. The bombardment of Antwerp has excited the most bitter and revengeful feelings against the Dutch, throughout Belgium. At the latest date, the appearance of hostilities had rather increased than diminished.

The citadel of Ghent had capitulated to the Belgians—a battle was expected at Bruges. The people were yet further arming themselves. The object of the journey of the prince of Orange to London, is to arrange a pacification, if he can; and it is stated that the ministers of the different powers, at London, have frequent communications.

The British parliament met 26th Oct. Mr. Manners Sutton was chosen speaker. The speech from the throne was expected on the 2nd November. There seems to be a great deal of uneasiness in England and Ireland. The duke of Wellington, on returning from parliament, was followed by a great mob, hissing and hooting at him, and it seems that he hardly escaped from the violence of the people.

The French cabinet appears to have been dissolved—only three of the late ministers had not resigned. Lafitte is at the head of the new ministry. We have no light as to the probable effect of these changes. The king remained very popular, and Lafayette maintained the public confidence—100,000 of the national guards, completely equipped, were reviewed on the 1st November, in the presence of 300,000 people, who received the king with shouts of *vive le roi*.

The examination of the impeached ministers had been finished, and many of the witnesses. The debates on the subject were not expected to commence before the 15th of December. The chamber of the peers will be fitted up for that occasion.

The forces of gen. Mina are divided into two columns; one of which, commanded by himself, marched on the 26th Oct. for Ernani; and the other, under Valdez, took the road to Vera. The latter was attacked by six thousand troops, and driven back into France, where they were disarmed. Mina has proceeded on to the interior, against the centre of the royalist's line. Valdez's defeat is ascribed to his disobeying the orders of Mina, in taking a different route from that directed.

Another account says that Mina was attacked by Lesaca, with superior forces. His corps was dispersed, and he was obliged to fly to the mountains with a few horsemen. El Pastor, with about 400 men, has been pursued as far as Urdach. He was disarmed on the frontiers by the French posts, and was to be conducted to Bayonne with his men.

Letters from London of October 30th, announce that the standard of liberty was raised at Cadiz, Ferrol and Corunna; and that Don Miguel had given positive orders to send troops to assist the Spanish royalists. The greatest activity prevails in the English diplomacy. Prince Talleyrand and the Prussian minister have frequent interviews with the duke of Wellington, and long conferences with the earl of Aberdeen.

Constitutional meliorations are going on in Switzerland.

Travellers from Warsaw, arrived at Leipsic, state that the present ferment prevails in the whole kingdom of Poland as well as the capital. The Russians have considerable forces on the frontiers as a precaution.

The British consols, on the receipt of the news from Antwerp, fell to 84¼.

The Arabs are exceedingly troublesome to the French at Algiers. They are said to prowl round the city like famished wolves. They lately massacred the whole crew of a French vessel, (45 in number), that was stranded on the coast.

Latest news. Another arrival brings us the British king's speech, the opening of the states-general, &c. but at so late an hour that we cannot give them: but there is nothing of *instant* importance added to the preceding accounts. The speech to parliament refers to the changes and commotions on the continent, and warmly dwells upon the disorders that have happened in England, and of efforts made to spread a spirit of discontent. These are its main points.

MEETING IN NEW YORK.

The New York American of the 14th December, furnishes the following interesting account of the Clay meeting, held in the city of New York the preceding evening.

"The friends of Mr. CLAY showed themselves most worthily at the meeting last evening. It was one of the most numerous, respectable, orderly, and at the same time enthusiastic meetings, we have ever seen. The large hall in which it was held can contain, according to computation, over 3,000 persons standing; there must, therefore, have been nearly 2,500 present last night; and the zeal, spirit and unanimity of the proceedings, proved how strongly HENRY CLAY is riveted in the affections of this people. It was not merely the calm, cold assent of the judgment in his favor—though that too was freely yielded—but the overflowing of strong personal predilection, on the part of thousands who have never seen the man, but who yet enter fully into his frank, manly and generous character; and who have viewed with abhorrence the base and bitter persecution, and unfounded calumnies, with which he has been hunted down. It is in the nature of the American people to revolt against injustice and oppression, from whatever quarter; and never did that nature prompt to more honest or honorable resolutions than those which were last night adopted unanimously, and by acclamations loud and long.

John N. Lawrence was called to the chair, *Isaac Minard* and *Peter Sharpe* were chosen as assistant chairman, and *Ellis Potter* and *Joseph Hoxie*, secretaries. The meeting was opened by an address from *David B. Ogden*, esq. who was followed by *H. Ketchum*, esq. when the address and resolutions being severally read, were unanimously adopted. The following are the resolutions:

Resolved, That we approve the address now read; and that the time has arrived when a party in opposition to the general administration, should be organized; and that we will proceed, without delay, to effect such organization in this city.

Resolved, That while we shall hold ourselves in readiness to confer and act in concert with our friends opposed to the general administration in other parts of our own state, and of the United States, the name of HENRY CLAY, of Kentucky, already before the public as a candidate for the office of president of the United States, meets our most hearty and decided approbation—that we recognise in this distinguished citizen, a man of elevated genius, ardent patriotism, and tried experience in public affairs—one whose fixed and unwavering principles, and distinguished public services, in war and in peace, and whose zealous endeavors to extend the blessings of free government to other nations, give him high claims upon the gratitude of his country, and entitle him to a distinguished place in the *great republican party of the world*.

Resolved, That we recommend to our friends in the city to convene their respective wards, without delay, to select five persons from each ward, to form a general committee, to superintend the concerns of the national republican party in this city; and also to select ward committees; and that such general committee be requested to meet at Mr. Aeker's hotel, on the evening of Monday, the 27th of December inst.

LETTER FROM GEN. THOMAS SUMPTER.

From the Pendleton Messenger.

South Mount, Oct. 29th, 1830.

SIR: I received your letter of the 29th of August. I regret that through the neglect of the postmasters it did not come to hand until to-day.

Although my opinion on the subjects you propose to my consideration can be of little weight; yet I should be sorry if you were to attribute this *apparent* neglect, either to a want of feeling and resentment for the injuries of my country, or to a want of decorum.

Sir, you ask "my views on the subjects which now agitate the minds of our people." Though I have long since retired from public life, and given myself up entirely to pursuits more congenial with my age—still, as I

have always deemed it the duty of every citizen of this republic, boldly to espouse one side or the other, of any question which may involve his rights and liberties, I will not withhold my sentiments from any of my fellow-citizens.

For a long time I had taken little or no interest in the politics of the country: I never even read the newspapers; I confidently depended on the "sense of the American people;" but, sir, the cry of discontent has at length reached me, and I awake from the happiest dreams of the peace and prosperity of my country, to curse the illusion.

I do not seek the reason of so general a sentiment in the natural avarice of the human heart, and believe as some of our countrymen do, that it arises from the common disposition of southern proprietors to screen their fortunes from public charges. No, sir, when we engaged in that struggle, which promised to secure to us the enjoyment of unrestricted liberty, *we* had nothing to complain of; ours was the most favored colony; bounties were given for every produce, and foreign capitalists investing their money in it, rendered it more prosperous than any of the others. It was not interest that urged South Carolina to resist. Can she now have changed? She espoused the cause of her sister colonies, not through resentment for unmerited inflictions, but through *principle* and *philanthropy*. We thought, that in time, we might groan under the same oppression; and before the storm lowered upon us, we rose and dispersed it.

Under like circumstances, it is *our* duty to resist, and *theirs* to succour us.

The evergrown power of the general government may reduce us in a short period to the most abject slavery, but, it is the noblest attribute of a rational being to foresee the *effects*, and suppress the *cause*.

There has been, (unfortunately for the peace of the United States), from the establishment of the government to the present day, a party in favor of a national consolidated government; and, sir, the greatest consolation I have carried along with me through life, is that of having frustrated the first attempt at consolidation. I mean, when the question was to have been taken on the unqualified assumption of the debts of the states.

I think a deep and general sentiment ought to agitate the minds of the people of South Carolina, and induce them to arrange and endeavor to change a system of usurpations and imposition no longer in harmony with the spirit of our constitution, and it is this sentiment, wrung from a just sense of oppression, which imperiously requires, and more imperiously from year to year, an effectual and unequivocal limitation of the powers of the general government.

Sir, a convention of the people of South Carolina, assembled for the purpose of appealing to other states, and to point out to them the danger they may justly apprehend from a willing sacrifice of their sovereignties, will be, perhaps, the better course to pursue. There is no danger of a convention proceeding to nullification, since it is not for this purpose they are convened. What is the use of creating a new power to nullify, when the legislature can of itself do it? That the legislature, as a sovereign power, can nullify the unconstitutional acts of the general government, is the primary and principal doctrine of the state rights party. I hope there is still a democracy in *every* state—a democracy characterized by its just conceptions of liberty, and by its philanthropy; it will hearken to the call of the people of South Carolina, and join in protesting against the unlawful and unjust acts of government. Some remedy must be resorted to, or else, from the position our state has assumed, her citizens will become objects of contempt and derision, and never will she resume that rank and weight in the union, for the maintenance of which even her present political existence should be sacrificed.

Unfortunately, our people are not united. Many, though they admit the unconstitutionality of certain acts of congress, yet, because they do not feel their operation, are determined to wait until they do, but when *these* feel it, it will then be too late. It is a hard matter to enslave a free people; but such a people once enslaved, will hardly regain their liberty.

Sir, it is not my intention either to exaggerate the misfortunes of our state, or praise its resignation in supporting them. This resignation would be *dire necessity*, if the evil was inevitable—but if the evil can be avoided, it would be alike destitute of courage and dignity.

I hope, sir, I have satisfied your requests. I am conscious of my inability, at this advanced period of life, to answer to your satisfaction as well as mine, questions involving such deep interest. Receive, sir, the assurance of my respect and esteem. THOMAS SUMPTER.

SOUTH CAROLINA.

The following bill and resolutions have been reported to the legislature of this state.

A BILL CONCERNING A CONVENTION.

Whereas, in the opinion of this legislature, the congress of the United States, on divers occasions, and on several important subjects, hath assumed, and exercised powers not granted in the constitution of the United States, either directly or by any rational implication, by enacting laws both in relation to appropriations for roads and canals, and in relation to imposts, and duties on foreign importations, for the purpose of encouraging and protecting domestic or American manufactures; which laws, the legislature of South Carolina have more than once pronounced to be unauthorised by the constitution of the United States, and a direct infringement of those rights of self-government which legitimately belong to the said legislature, and which it alone should exercise; and hath also; on more occasions than one, attempted the exercise of other powers, equally dangerous to the well being of the said state.

And whereas, it is the opinion of this legislature, that in such exigencies, the people of the state, peaceably assembled in convention, are the sole constitutional judge, as well of the nature and extent of the evil, as of the mode and measure of redress; therefore,

Be it enacted by the honorable the senate, and house of representatives, now met and sitting in general assembly, and by the authority of the same, (two-thirds of both branches of the whole representation, concurring in favor thereof), That a convention of the people of the state of South Carolina, by their delegates, to be elected as hereinafter provided, be called; and that the said convention shall assemble, at Columbia on the

Be it further enacted, That the governor, within shall cause writs of election to be issued, authorising and requiring the managers of elections in the several districts and parishes, after giving public notice, as in cases of other elections, to open and hold a poll on the and the day following, in

next, for the election of delegates to the said convention; and all persons who are qualified, and entitled by the constitution and laws of this state to vote for members of the legislature, shall be qualified and entitled to vote for said delegates; and the said election for delegates to the convention, shall be held at the same places, and be conducted in all respects, in the same manner, and according to the same regulations as are prescribed concerning the general elections for members of the legislature.

Be it further enacted, That any person shall be eligible to be elected and to sit in the said convention, as a delegate, who may possess the qualifications necessary to a seat in the house of representatives of the state legislature, provided that the holding of an office of honor, profit, or trust, under or from the government of the state of South Carolina, shall not be a disqualification for a seat in the said convention; and that any person who, at the time of the election, shall hold an office of profit or emolument, under or from the government of the United States, shall not be eligible, except senators or representatives in congress, who shall be eligible; and provided, also, that ministers of the gospel shall be likewise eligible.

And be it further enacted, That each district and parish throughout the state, shall be entitled to elect and send to the convention as many delegates as it is now entitled, by the constitution and laws of the state, to send senators and representatives to the state legislature.

And be it further enacted, That the said convention, when assembled, shall take into consideration such acts and laws of the government of the United States as the legislature of South Carolina hath from time to time, declared and pronounced to be unauthorised by the con-

stitution of the United States: and against which it hath protested as an infringement of the rights, which, by the said constitution, are reserved to the states, and can be legitimately exercised by them only; and such other acts and laws of the general government, as the said convention may decree unconstitutional in their enactment, and dangerous in their tendency; and that the said convention shall adopt such mode and measure of redress for the evils arising from the unconstitutional legislation of congress, as it may deem necessary and proper to protect the rights of the state of South Carolina; to preserve the federal constitution, to cement the union of the states.

And be it further enacted, That the delegates elected to the said convention, before they take their seats, in addition to the oaths required to be taken by members of the legislature, shall take the following oath:—"I swear (or affirm) that I will not, in the discharge of my duty as a member of this convention, take into consideration any other matters, or engage in the discussion of any other propositions than such as relate to the unconstitutional legislation of the congress of the United States; and that I will not concur in the adoption of any other measures than such as may be intended to provide a remedy for the evils arising therefrom.

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RESOLUTIONS

Of the committee on federal relations.

Resolved, That the legislature of the state of South Carolina, doth unequivocally express a firm resolution to maintain and defend the constitution of the United States and the constitution of this state, against every aggression, either foreign or domestic, and that they will support the government of the United States in all the measures warranted by the former.—*Madison.*

Resolved, That this legislature most solemnly declares a warm attachment to the union of these states, to maintain which, it pledges all its powers; and that for this end it is their duty to watch over and oppose every fraction of those principles which constitute the only basis of that union: because a faithful observance of them can alone secure its existence, and the public happiness.—*Madison.*

Resolved, That this legislature doth explicitly and peremptorily declare, that it views the powers of the federal government, as resulting from the compact to which the states are parties, as limited by the plain sense and intention of the instrument constituting that compact; and in case of a deliberate and palpable and dangerous exercise of other powers not granted by the said compact, the states who are parties thereto, have the right, and are in duty bound to interpose for arresting the progress of the evil, and for maintaining within their respective limits the authorities, rights and liberties appertaining to them.—*Madison.*

Resolved, That the several states comprising the United states of America, are not united on the principle of unlimited submission to their general government; but by compact, under the style and title of a constitution of the United States, and of amendments thereto, they constituted a government for special purposes; delegated to that government certain definite powers, reserving, each state to itself, the residuary mass of right to their own self government; and that whensoever the general government assumes undelegated powers, its acts are unauthoritative, void and of no force.—That to this compact each state acceded as a state, and is an integral party. That the government created by this compact was not made the exclusive or final judge of the extent of the powers delegated to itself; since that would have made its discretion, and not the constitution, the measure of its powers, but that, as in all other cases of compact between parties having no common judge, each party has an equal right to judge for itself, as well of infractions as of the mode and measure of redress.—*Jefferson.*

Resolved, That this legislature doth also express its deep regret that a spirit has in sundry instances been manifested by the federal government, to enlarge its powers by forced constructions of the constitutional charter which defines them; and that indications have appeared of a design to expound certain general phrases, (which having been copied from the very limited grant of powers in the former articles of confederation, were the less liable to be misconstrued), so as to destroy the meaning and effect of the particular enumeration which necessarily explains and limits the general phrases, and to pervert certain specified grants of power from their true and obvious meaning, to purposes never contemplated by the author of the constitution, or the states when they adopted it; and so to consolidate the states by degrees into one sovereignty; the obvious tendency and inevitable result of which, would be to transform the present republican system of the United States into an absolute government, without any limitation of power.—*Madison.*

Resolved, That the several acts of the congress of the United States now of force, imposing duties on imposts, for the protection of domestic manufactures, have been and are, deliberate and highly dangerous and oppressive violations of the constitutional compact; and that whenever a state, which is suffering under this oppression, shall lose all hope of redress from the wisdom and justice of the federal government, it will be its right and duty to interpose, in its sovereign capacity, for the purpose of arresting the progress of the evil occasioned by the said unconstitutional act.

Resolved, That this state having long submitted to the evil, in the hope of redress from the wisdom and justice of the federal government, doth no longer perceive any ground to entertain such hope, and therefore, that it is necessary and expedient that a convention of the people of this state be assembled, to meet after the adjournment of the ensuing session of the congress of the United States, for the purpose of taking into consideration the said violations of the constitutional compact.

TWENTY-FIRST CONGRESS—2nd SESSION.

SENATE.

December 16. Mr. *Webster* appeared and took his seat.

Mr. *Sanford* presented a memorial from the New York institution for the deaf and dumb, praying for a grant of lands; which was referred to the committee on public lands.

Mr. *Barton* submitted the following resolution, which lies on the table one day of course.

Resolved, That the committee on public lands be instructed to inquire into the expediency of reducing the price of the public lands, and of making more favorable provisions for the actual settlers upon them.

Mr. *Dickerson* introduced a bill for the relief of Thomas Cooper, who was fined under the old sedition law.

[Other proceedings have been sufficiently noticed, or will, in course, appear.]

December 17. A message of a confidential nature was received from the president. Two memorials from the legislative council of Michigan were presented.

Mr. *Sanford*, of New York, presented a memorial of the chamber of commerce of New York, praying for a reduction of the duties on silk imported from countries beyond the Cape of Good Hope. It was referred to the committee on finance.

Mr. *Hendricks*, of Indiana, from the committee on Indian affairs, reported a bill making appropriations for carrying into effect certain Indian treaties.

Mr. *Baker* submitted the following resolution:

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of making provision by law for ascertaining and marking the northern boundary line of the state of Illinois.

Mr. *Burnet* submitted the following resolution:

Resolved, That the committee on the public lands be instructed to inquire into the expediency of granting a township of land to each incorporated institution for the instruction of the deaf and dumb in the United States, to which a similar grant has not heretofore been made.

The resolution submitted yesterday by Mr. *Barton* was adopted.

After some other matters, and the consideration of executive business, the senate adjourned, until Monday.

December 20. Mr. *Livingston*, of Louisiana, and Mr. *Tazewell*, of Virginia, appeared this day, and took their seats.

The resolution of Mr. *White*, relative to donations of public lands to the institutions for instructing the deaf and dumb; the resolution of Mr. *Sprague*, concerning the duties and fees of American consuls in foreign countries; the resolution of Mr. *Baker*, touching the

northern boundary line of the state of Illinois, and the improvement of the post route from New Albany to St. Louis; and the resolution of Mr. *Hendricks*, relative to the establishment of certain enumerated post routes in Indiana, were considered and adopted.

The other business attended to will sufficiently appear in its course. A short time was spent in executive business.

At twelve o'clock the senate resolved itself into a court of impeachment for the trial of judge *Peck*, of Missouri.

[The charge alleged against the judge, by the house of representatives, has been heretofore published. It is in substance, that having published his opinion in the Missouri Republican, in the case of Soulard's heirs against the United States, sometime after the adjournment of his court, he did, unjustly, arbitrarily, and oppressively, commit Luke Edward Lawless, an attorney in his court, to prison for twenty-four hours, and suspend him from practice, in the said court, for eighteen months, for an alleged contempt in publishing, in the St. Louis Enquirer, an exposition of certain errors of doctrine and fact charged to have been set forth in the opinion of the judge.]

The house of representatives, preceded by their managers, Mr. *Buchanan*, Mr. *McDuffie*, Mr. *Spencer*, Mr. *Storrs*, and Mr. *Wickliffe*, came into the senate chamber in a body, and having taken the seats prepared for them,

Mr. *Buchanan* rose and said, that the managers on the part of the house of representatives were now prepared to proceed in this trial.

Mr. *Meredith*, one of the counsel for the respondent, desired that the witnesses summoned in his behalf might be called.

The marshal accordingly called over their names.—Some of them did not answer.

Mr. *Meredith* observed, that three of the material witnesses for the respondent were not present. We are, said he, notwithstanding, ready to go to trial.

Mr. *McDuffie* then rose to open the case for the prosecution, and maintain the charge of an illegal and tyrannical usurpation of power, &c. and continued to address the court until 5 o'clock, without concluding his speech; when, on the motion of Mr. Holmes, the court adjourned.

December 21. Mr. *Smith*, of South Carolina, appeared yesterday, and took his seat, and Mr. *McKinley*, of Alabama, appeared this day and took his seat.

Mr. *Holmes* submitted the following resolution:

Resolved, That the secretary of the navy be directed to inform the senate, whether provision has been made to relieve our national ships on foreign stations, before the expiration of the term of enlistment of the seamen; and what measures have been taken to ensure the return of seamen to the United States, whose terms of service have expired, or are about to expire.

Mr. *Baker*, submitted the following resolution:

Resolved, That the committee on public lands be instructed to inquire into the expediency of providing, by law, for the sale, at the minimum price, of all such lands as have been once entered at such price, and are forfeited or relinquished, immediately, upon forfeiture or relinquishment: Also, into the expediency of authorising the sale of the public lands in quantities of forty acres in all cases; as also into the expediency of making donations of lands in small quantities to *actual settlers*.

Among the private petitions presented this day, was that of George Armstrong, praying to be paid for a quantity of tobacco forcibly taken by the British troops in 1814: which was referred to the committee on military affairs.

Mr. *Livingston* presented the memorial of the Franklin institute of Philadelphia, praying the patronage of congress to a periodical journal published by the institute, for the encouragement of manufactures and the mechanic and useful arts. The memorial was referred to the committee on manufactures.

Mr. *Livingston*, from the select committee on the subject, made a report in favor of the claimants of French spoliations prior to 1800, accompanied by a bill to provide for the satisfaction of claims, to the amount of five millions of dollars, due to American citizens for spoliations committed prior to that date. The bill was read the first time.

Various other business was attended to—to appear in future details. At 12 o'clock, the senate resolved itself into a court of impeachment—the house of representatives attended, and Mr. *McDuffie* concluded his opening speech. Mr. *Buchanan* then offered the documentary evidence, which was read by Mr. *Wickliffe*, and ordered to be printed, and the court adjourned.

December 22. After some small business, of no present importance—

The senate again, at twelve o'clock, resolved itself into a court of impeachment.

The day was occupied in receiving the testimony of Luke E. Lawless, and in examining him. Before the cross examination was finished, the court adjourned until twelve o'clock to-morrow.

HOUSE OF REPRESENTATIVES.

Thursday Dec. 16. Mr. *Storrs*, of N. Y. attended yesterday, and Mr. Crockett, of Ten. to-day.

Mr. *Tracy*, on presenting a petition remarked, that the subject-matter of the petitions which he was about to present, was one of great importance, not only to his own immediate constituents, but to the whole section of country bordering on Lake Ontario.

It might be recollected, he said, that at the last session of the present congress, a law was passed making an appropriation for the survey of the mouth of Oak Orchard creek, about middle distant between Niagara and Genesee rivers. This survey was carried into effect the last summer, by general Swift, an experienced engineer, whose report accompanied the petitions, by reference to which report it would appear that the benefits which would result from the improvement of the mouth of said creek, for the purpose of a harbor, would exceed the most sanguine expectations of its projectors.

Mr. T. remarked, that the formation of a harbor on the contemplated site, was one of a strictly national character. That it would greatly enlarge the facilities of commerce on the northern lakes, but, in case of war, would contribute to the common defence of the country, in a proportionate degree to those on the sea coast.—Mr. T. concluded by saying, that the section of the country, bordering on the northern lakes, had never asked much aid from the general government for the promotion of national objects, and that they had received but a small proportion of what they had asked, and he hoped this subject would receive from the appropriate committee, to whom it would be referred, all the attention which its importance required.

The following resolution, yesterday submitted by Mr. *White*, of Florida, was taken up:

Resolved, That the secretary of the navy be directed to communicate to this house copies of the correspondence of the superintendent, and reports of the overseer of the live oak plantations near the navy yard at Pensacola.

This proposition was much discussed, and led to some explanations from Mr. *White*, as to live-oak timber, in general, and the "plantations" of it; but as the resolution was substantially agreed to, and we shall have a report on the subject—it is not worth while to detail the debate now.

Mr. *Richardson* submitted the following:

Resolved, That a select committee on education be appointed to take into consideration all measures and propositions relative thereto, which shall be referred to them, and to report thereon by bill or otherwise.

Mr. R. supported the resolution at some length. He spoke of the various applications for assistance, and of the millions of dollars, in lands and money, that had been bestowed. That Massachusetts had asked no aid, but that he wished to secure the safety, and promote the prosperity of the republic, &c.

The resolution was laid on the table, or rejected, by yeas and nays—for it 94, against it 86.

The remainder of the resolutions submitted were local, or such as will hereafter appear, in their progress. Several communications were submitted by the speaker. Mr. *Powers*, because of ill-health, was excused the duties of chairman of the committee for the District of Columbia*—the annual report of the secretary of the treasury was received, &c.

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* Mr. *Doddridge* has become chairman, in his place, by appointment of the speaker, and a vote of the committee.

Friday, Dec. 17. Amongst the memorials presented to-day was one by Mr. *Verplanck*, from a number of those officers of the revolutionary army, many of whom served in the battles of Princeton, Saratoga, and Yorktown, but whose cases, in consequence of their retirement from the army, do not come within the provisions of the act of 1828, praying to be indemnified for the depreciation of the paper money in which their services were paid for, or for relief in any other mode which congress might think proper to grant; and on motion of Mr. V. the memorial was referred to a select committee and ordered to be printed.

Mr. *Condict* presented two memorials from a number of the widows of deceased revolutionary officers, praying to be allowed some portion of the pensions granted to their respective husbands during their life time: which were referred to the same select committee.

Mr. *Hemphill's* resolution submitted yesterday, was agreed to.

On motion of Mr. *Duncan*, it was

Resolved, That the committee on internal improvement be instructed to inquire into the expediency of extending the national road from the seat of government of Illinois to the Mississippi river, and of making an appropriation for that purpose.

Mr. *Overton* submitted the following resolution:

Resolved, That the committee on military affairs, with the view to the permanent defence of the western and northwestern frontier of the United States, as well as to economise in the public expenditure, inquire into the policy and expediency of setting apart a portion of the public lands, to be embraced within parallel lines, the exterior line of the states and territories, to form one and not to exceed twenty miles in width; which tract, when designated, may be settled by able-bodied men, who shall be entitled to 160 acres of the same, provided they keep a horse and gun fit for use, and hold themselves ready to do military service when called upon by the proper authority; with such other proviso as the committee may deem requisite.

The house refused to consider this res[illegible]n.

The house then proceeded to the fu[illegible]ner consideration of the bill to alter and establish certain post roads, which occupied the remainder of the day without getting through it.

In the course of the proceedings, Mr. *Wickliffe* submitted an amendment, the object of which is to insert a proviso, that no part of the additional routes embraced by this bill shall be carried into effect until funds of the department are in a state to warrant the expenditure to be incurred thereby.

This motion gave rise to a debate, in which Messrs. *Wickliffe*, *Johnson*, *Bell*, *Buchanan*, *Hoffman*, *Whittlesey*, *Storrs*, of N. Y., *McGee*, and *Daniel* took part.

Before taking any question on the proposed amendment, the hour growing late—

The house adjourned to Monday next at 12 M.

Monday, Dec. 20. The journal of Friday having been read—

Mr. *Hoffman* asked leave of the house to submit a resolution: leave having been granted, Mr. H. offered the following:

Resolved, That this house will, from time to time, resolve itself into a committee of the whole to attend in the chamber of the senate on the trial of the impeachment against James H. Peek, a judge of the United States' district court for the district of Missouri, during the opening of the cause on the part of the managers, and the opening of the defence on the part of the accused, and during the final argument of the case and the rendition of judgment thereon; and that the managers make report of the proceedings on said impeachment at such times as will enable this house to take order accordingly.

On this motion a short debate took place, in which Messrs. *Hoffman*, *Dwight*, *Wickliffe* and *Buchanan* engaged.

Mr. *Dwight* then submitted the following as a modification of Mr. *Hoffman's* motion:

Resolved, That, pending the trial of the impeachment before the senate, this house will attend at 11 o'clock in the morning, and proceed on the legislative business of the house, until the hour which the senate shall appoint, each day, for proceeding on the trial of the impeachment now pending before that body; and that the house then resolve itself into a committee of the whole, and attend said trial.

After further debate, in which Mr. *Polk* also joined—

Mr. *Polk* concluded by moving to modify the resolution of Mr. *Hoffman*, so that it should read as follows:

"*Resolved*, That this house will resolve itself into a committee of the whole this day, to attend in the chamber of the senate, on the trial of the impeachment of James H. Peek, a judge of the United States' district court for the district of Missouri."

Mr. *Hoffman* accepted the modification. The question being then put on Mr. *Dwight's* motion, it was negatived; and that of Mr. *Hoffman*, as modified, was agreed to by the house.

The house then resolved itself into a committee of the whole, and proceeded to the senate chamber—having returned, progress was reported, and the house agreed to meet at 11 o'clock to-morrow, &c.

Tuesday, Dec. 21. After the presentation of petitions, and the disposition of some other matters—

Mr. *Spencer*, from the committee on agriculture, to which was referred the letter of P. S. Duponceau, presenting to the house a flag of American silk and manufacture, made the following report:

"The committee on agriculture, to which was referred the letter of Peter S. Duponceau, to the speaker of the house, announcing his presentation to the house of a silken flag, bearing the colors of the United States, made of American silk, reeled from cocoons and prepared and woven by John D'Homergue, silk manufacturer, the entire process in the manufacture of the same having been performed in the city of Philadelphia, report:

"That they consider this specimen of American industry, applied for the first time to the production of a fabric in such general use in the United States, in the purchase of which in foreign countries several millions of dollars are annually drawn from this country, as highly auspicious to the agriculture and arts of the U. States; and that Mr. Duponceau, for his patriotic exertions in promoting the culture of silk, and in his efforts to excite the attention of the people of the U. States to that important branch of industry, deserves the commendation of his country. The committee have received a communication from Mr. Duponceau, detailing various important facts and remarks in reference to the bill, entitled "an act for promoting the growth and manufacture of silk," which they have appended to this report, for the information of the house; and the committee report a resolution, and recommend its adoption by the house.

"*Resolved*, That the flag, bearing the colors of the U. States, presented to this house by Peter S. Duponceau, of Philadelphia, made of American silk, and prepared and woven by John D'Homergue, silk manufacturer, in the city of Philadelphia, be accepted by this house, and that it be displayed, under the direction of the speaker, in some conspicuous part of the hall of sittings of this house."

Mr. *Alexander* moved that the report, and letter therein referred to, lie on the table, and be printed.

Mr. *Whittlesey* called for a division of the question; and the question being but to lay the report, &c. on the table, it was decided in the negative—ayes 45, noes 74.

The question was then put on the adoption of the resolution submitted by the committee, and it was determined in the affirmative.

Subsequently, the report and letters were ordered to be printed.

Many resolutions of a special, local or personal character were submitted—and also the following—

On motion of Mr. *Wickliffe*, it was

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of abolishing imprisonment for debt by order of process from the courts of the United States.

Mr. *Drayton*, from the committee on military affairs, made a report on the petition of John Balthrope; which was read, and the resolution therein submitted was concurred in by the house, as follows:

Resolved, That the petitioner is entitled to, and ought to receive from the ordnance department a full price for the axletree which he has made and delivered to them; and that, whenever the government stands in need of further supplies, he ought to be employed in the manufacture of them, and be liberally compensated for his skill and labor.

[The petitioner is the inventor of an improved axletree and gun carriage; and he prayed that congress would grant him a pecuniary reward for his invention. It has been submitted to several of the officers of the ordnance department, and received a fair trial and been severely tested, by whom the invention is spoken of in high terms. The committee, however, did not feel themselves at liberty to grant the petitioner any other reward than might be afforded by the foregoing resolution. Not to keep the petitioner in suspense, who has been sometime in the city, and subjected to considerable expense, Mr. *Drayton* moved the immediate con-

sideration of the resolution, and it was agreed to, *nem. com.*]

The *speaker* laid before the house a letter from the secretary of the treasury, transmitting an estimate of the appropriations proposed to be made for the service of the year 1831, and a statement of the estimated balances which will be carried to the surplus fund at the close of the year, which was referred to the committee of ways and means, and ordered to be printed.

The *speaker* also laid before the house a letter from the secretary of war, transmitting, in pursuance of a resolution of the 16th December, a report of the progress which has been made in the construction of the Cumberland road, through the state of Indiana, &c.; which was ordered to lie on the table and be printed.

The *speaker* also laid before the house a letter from the secretary of the treasury, transmitting a statement of the disbursements made, since the adoption of the federal constitution, to the 31st of December, 1829, in each year, and in each state and territory, for fortifications, light-houses, public debt, revolutionary and other pensions, and internal improvements, in compliance with a resolution of the last session of congress; which was ordered to lie on the table and be printed.

Mr. *Storrs*, of New York, rose to ask, for his own information, whether it was expected that the managers, in the absence of the house, were to conduct the trial of the impeachment against judge Peck. The hour for the trial had now arrived, and it was necessary for the house to take some order on the subject.

Mr. *Hoffman* hoped that the same course would be pursued by the house to-day as was taken by it yesterday, and he accordingly submitted for the consideration of the house the same resolution that was yesterday adopted by the house.

The resolution was then read and agreed to.

The representatives, then, in committee of the whole, attended in the senate chamber, returned and reported, and the house adjourned, as before.

Wednesday, Dec. 22. Many petitions were presented this day.

Mr. *McDuffie*, from the select committee on so much of the president's message as relates to an amendment of the constitution respecting the election of president and vice president of the United States, reported, in part, the following joint resolution; which was read and laid on the table.

"*Resolved, &c.* That the following amendment of the constitution of the United States be proposed to the several states, to be valid, to all intents and purposes, as part of said constitution, when ratified by the legislatures of three-fourths of the said states, viz:

"No person shall be hereafter eligible to the office of president of the United States, who shall have been previously elected to the said office, and who shall have accepted the same, or exercised the powers thereof."

Among the resolutions submitted were the following—

On motion of Mr. *Ellsworth*, it was

Resolved, That the committee on naval affairs be instructed to inquire into the expediency of inducing the seamen and marines in the navy of the United States, voluntarily to discontinue the use of ardent spirits, by substituting for them double their value in necessaries and comforts, whilst in service, or in money, payable at the expiration of the service.

On motion of Mr. *Verplanck*, it was

Resolved, That the committee on the library be instructed to inquire into the expediency of ordering to be published, under the direction of the secretary of state, the diplomatic correspondence of the United States under the old confederation, from the peace of 1783, to the organization of the government after the adoption of the present constitution.

Mr. *Dwight* submitted a resolution in substance requiring the house to meet each day at eleven o'clock during the trial of the impeachment of judge Peck; and that at twelve o'clock it would resolve itself into a committee of the whole and proceed to the senate for the purpose of attending the trial.

Mr. *White*, of New York, called for the yeas and nays on the adoption of the resolution, and they were ordered by the house.

Mr. *Pettis* opposed the resolution. He thought that the house had much business to do, and, having confided the impeachment to able managers, should proceed to do it. Mr. *Dwight* thought that the house ought to attend, &c.

Mr. *Clay* moved to amend the resolution of Mr. *Dwight*, by inserting the words "until otherwise ordered:" so that the house should any time have the power to reseind the resolution.

Mr. *Dwight* accepted the amendment as a modification of his resolution.

Mr. *Doddridge* prefered the resolution originally offered by Mr. *Hoffman* on Monday last, and moved its consideration as a substitute for that this day offered by Mr. *Dwight*.

After some remarks by Messrs. *Doddridge*, *Hoffman*, and *Strong*, the amendment was rejected.

Mr. *Drayton* then moved an amendment; which he supported in a few words, when

Mr. *Haynes*, believing that the opinion of the members was made up on the subject, called for the previous question. The call was sustained by the house—Ayes, 90.

The previous question was then put, in the following words, viz: Shall the main question be now put? and decided in the affirmative.

The main question being then put, viz: on the adoption of the resolution offered by Mr. *Dwight*, it was decided in the negative, by yeas and nays, as follows:

YEAS—Messrs. Alexander, Allen, Anderson, Angel, Arnold, Barnwell, Beekman, James Blair, Borst, Broadhead, Cambreleng, Campbell, Chandler, Claiborne, Clay, Coke, Coleman, Conner, Coulter, Cowles, Craig, Crocheron, Davenport, W. R. Davis, Dickinson, Dudley, Duncan, Dwight, Earll, Ellsworth, George Evans, Finch, Forward, Gilmore, Gorham, Green, Grennell, Gurley, Hall, Harvey, Haynes, Hemphill, Hinds, Hodges, Holland, Hoffman, Ihrie, Ingersoll, Jarvis, Richard M. Johnson, Kendall, Kennon, Lamar, Lent, Martindale, Thomas Maxwell, McCoy, McIntire, Monell, Muhlenburg, Nuckolls, Overton, Potter, Powers, Randolph, Reed, Richardson, Roane, Sanford, Shepard, Shields, Semmes, Smith, Speight, Standefer, Taylor, W. Thompson, Tracy, Wayne, Weeks, Whittlesey, Edward D. White, Wingate, Young—84.

NAYS—Messrs. Archer, Armstrong, Bailey, Barber, Barringer, Baylor, Bell, John Blair, Bockee, Boon, Brown, Buchanan, Butman, Cahoon, Chilton, Clark, Cooper, Crane, Crawford, Crockett, Creighton, Crowninshield, Daniel, Denny, Desha, De Witt, Doddridge, Draper, Drayton, Eager, Joshua Evans, Horace Everett, Findlay, Ford, Foster, Fry, Gordon, Halsey, Hawkins, Howard, Hubbard, Hunt, Irwin, Irvin, Cave Johnson, Kincaid, Adam King, Lea, Leavitt, Lecompte, Leiper, Letcher, Lewis, Loyall, Lumpkin, Lyon, Magee, Marr, Lewis Maxwell, McCreery, Miller, Norton, Patton, Pearce, Pettis, Pierson, Polk, Rencher, Russel, Shepperd, Sill, Sprigg, Stanberry, Sterigere, Stephens, Strong, Swann, Swift, John Thomson, Tucker, Vance, Varnum, Verplanck, Vinton, Washington, Camp. P. White, Yancey—87.

So the house decided to leave to the managers the conducting of the impeachment against judge Peck.

Several bills were then read, and variously disposed of. Adjourned to meet at 11 o'clock to-morrow.

ANNUAL REPORT OF THE TREASURY.

In obedience to the directions of the "act supplementary to the act to establish the treasury department," the secretary of the treasury respectfully submits the following report:

I. *Of the public revenue and expenditures.*

The receipts into the treasury, from all sources during the year 1828, were		24,763,629 23
The expenditures for the same year, including payments on account of the public debt, and including $790,069 40, for awards under the 1st article of the treaty of Ghent, were		25,459,479 52
The balance in the treasury, on the 1st of January, 1829, was		5,972,435 81
The receipts from all sources, during the year 1829, were		24,827,627 38
Viz:		
Customs	22,681,965 91	
Lands, (statement D)	1,517,175 13	
Dividends on bank stock, (E)	490,000 00	
Incidental receipts, (E)	138,486 34	
Making with the balance, an aggregate of		30,800,063 19
The expenditures for the same year, were (F)		25,044,358 40
Viz:		
Civil list, foreign intercourse, and miscellaneous, including $9,033 38 for awards under the 1st article of the treaty of Ghent	3,101,514 37	

Military service, including fortifications, ordnance, Indian affairs, pensions, arming the militia, and internal improvements	6,250,230 28	
Naval service, including the gradual improvement of the navy	3,308,745 47	
Public debt	12,383,867 78	
Leaving a balance in the treasury, on the 1st of January, 1830, of		5,755,704 79
The receipts into the treasury during the first three quarters of the present year are estimated at	19,136,018 79	
Viz:		
Customs	17,268,122 74	
Lands (G)	1,293,719 27	
Bank dividends (H)	490,090 00	
Miscellaneous (H)	84,176 78	
The receipts for the fourth quarter are estimated at	5,025,000 00	
Making the total estimated receipts of the year		24,161,018 79
And, with the balance of the 1st of January, 1830, forming an aggregate of		29,916,723 58
The expenditures for the first three quarters of the present year are estimated at (I)	20,780,936 84	
Viz:		
Civil list, foreign intercourse, and miscellaneous	2,460,872 48	
Military service, including fortifications, ordnance, Indian affairs, arming the militia, and internal improvements	5,728,976 52	
Naval establishment, including the gradual improvement of the navy	2,651,457 75	
Public debt	9,939,630 09	
The expenditures for the 4th quarter, including 1,415,000, on account of the public debt, are estimated, on data furnished by the respective departments, at	4,316,004 98	
Making the total estimated expenditures of the year		25,096,941 82
And leaving in the treasury on the 1st of January, 1831, an estimated balance of		4,819,781 76

Which, however, includes the funds estimated at $1,400,000, heretofore reported by this department as not effective.

The appropriations remaining unsatisfied at the close of the year, are estimated at $5,256,566 32. But of this amount, it is estimated by the proper departments:

1. That the sum of $3,749,552 96 only, will be required for the objects for which they were appropriated:

2. That the sum of $1,375,154 77 will not be required, and may therefore be considered as an excess of appropriation, and is intended to be applied without being re-appropriated, in aid of the service of the year 1831; as will more fully appear when the estimates of the appropriations for that year are presented:

3. That the sum of $140,858 59 will be carried to the surplus fund at the close of the year—either because the objects for which it was appropiated are completed, or because these moneys will not be required for, or will be no longer applicable to them.

II. *Of the public debt.*

The total amount of the public debt of the U. States on the 1st Jan. 1830, was			$48,565,406 50
Viz: 1. Funded debt		48,522,869 93	
Consisting of six per ct. stock	6,440,556 17		
Five per cent. stocks, including 7,000,000 subscribed to the bank of the U. S.	12,792,000 20		
Four and a half per ct. stocks	15,594,064 11		
Three per cts. stocks	13,296,249 45		
2. Unfunded debt		42,536 57	
Consisting of registered debts, being claims registered prior to the year 1794, for services and supplies during the revolutionary war	28,921 48		
Treasury notes outstanding	8,010 00		
Mississippi stock outstanding	5,605 09		
The payments made, and to be made on account of the public debt, for the year 1830, are estimated at		11,354,630 09	
Of this sum there will have been paid for interest		1,912,415 27	
Making the reduction in the principal			9,442,214 82
Viz: Six per cents		6,440,556 17	
Five per cents, subscribed to the bank of the U. States		3,000,000 00	
Registered debt		225 65	
Treasury notes		833 00	
Mississippi stock		600 00	
And leaving the total debt on the 1st of January, 1831			39,123,191 68
Viz: Funded debt (K)		39,082,461 88	
Unfunded debt (L)		40,729 80	

Of the sum applied to the public debt in the year 1830, $10,000,000 were the amount of the appropriation for the year, under the 2d section of the sinking fund act of 1817; and the remaining $1,354,650 09 taken from surplus moneys in the treasury, were, with the approbation of the president, placed at the disposal of the commissioners of the sinking fund, and applied under the 1st section of the act of 24th May last.

The five per cent. stock subscribed to the bank, being at all times subject to redemption, and the high market price of other stocks not offering any inducement to purchase, the discretionary authority given to the commissioners of the sinking fund, by the 2d section of the act last referred to, has not been exercised; and from the large amount of debt that is redeemable in the year 1831, and within the first two days of 1832, it is not probable that it will be necessary to resort to it in the year 1831.

The debt which will remain unpaid on the 1st of January, 1831, will be redeemable as follows:

At the pleasure of the government, $13,296,397 57 of three per cents. and $4,000,000 of five per cents.; subscription to the bank of the United States, after six months notice, $1,539,336 16, of four and a half per cents.; after the 31st of December, 1831, $5,000,000 of four and a half per cents.; after the 1st January, 1832,

$5,000,000 of four and a half per cents. and 999,999 13 of five per cents.; after the 31st of December, 1832, $56,704 77 of five per cents. and $2,227,363 97 of four and a half per cents.; after the 31st of December, 1833, $2,227,363 98 of four and a half per cents.; after the 1st January, 1835, $4,735,296 30 of five per cents.

As the means for the redemption of those portions of the public debt, which are redeemable at the commencement of any year, are to be provided at the close of the present year, and are actually drawn from the treasury at that time, such stocks may be considered, for the purposes of this report, as redeemable in the previous year.

III. *Of the estimates of the public revenue, and expenditures for the year* 1831.

The amount of imports into the United States for the year ending on the 30th September, 1830, is estimated at $68,500,000, and the amount of exports at $73,800,000 of which $59,400,000 were domestic, and 14,400,000 foreign products.

The amount of custom house bonds in suit on the 30th September last, was $6,625,420, which sum includes all that remain in suit since the establishment of the government, and exceeds, by $273,706, the amount in suit on the corresponding day of the last year.

The amount of duty on imports and tonnage which accrued in the first three quarters of the year 1830, is estimated at $20,570,000, and in the fourth quarter, at $5,610,000.

The amount of debentures issued during the first three quarters of the year 1830, is estimated at $3,331,895, and the amount outstanding on the 30th September last, and chargeable upon the year 1831, at $1,411,801.

It is estimated that the accruing duty on coffee and cocoa imported in 1830, and remaining in store on the first of January, 1831, will be reduced about $500,000 by the operation of the acts of the last session reducing the duties on those articles; and that the duties on coffee, cocoa, salt, and molasses, accruing in 1831, and payable within that year, will, upon a like consumption, to that of 1829, be further diminished by those acts about $600,000. The repeal of the duties of tonnage, which will take effect on the first of April next, will further reduce the revenue of the next year about $75,000. The subsequent reduction of the duties on tea, coffee, and salt, on the 1st January, 1832, will probably lessen the usual importation of those articles for the demand of 1831. But the influence of these circumstances upon the revenue, will be in some degree counteracted, by the increased capacity of the country for consumption, as evinced by the enlarged amount of domestic exports, the general prosperity of mercantile business, and the favorable state of exchange with foreign countries; to which may be added, the opening of the trade with the British colonies in the West Indies, and on the North American continent.

The revenue arising from the sales of the public lands will be improved by the same general causes, which tend to improve that from the customs.

From a view of all those facts and considerations, the receipts for the year 1831 are estimated at $23,340,000 00

Viz:		
Customs	$21,000,000 00	
Lands	1,700,000 00	
Bank dividends	490,000 00	
Incidental receipts, including arrears of internal duties, direct tax, and canal tolls	150,000 00	

The expenditures for 1831 are estimated at $23,228,065 86

Viz:		
Civil list, foreign intercourse, and miscellaneous	2,585,152 68	
Military service, including fortifications, ordnance, Indian affairs, pensions, arming the militia, and internal improvement	6,789,317 89	
Naval service, including the gradual improvement of the navy	3,853,595 29	
Public debt	10,000,000 00	

In the estimate of the expenditures for 1831, are included $1,375,154 77, of the appropriations for 1830, which were not required for the service of that year, and are applicable for the service of 1831, without being re-appropriated, viz: civil, foreign intercourse, and miscellaneous, $40,833 18; military, $815,921 10; and naval, $518,400 49.

In respect to the duties on imports and tonnage, the estimate above presented will not apply for the succeeding year; for when the reduction made at the last session shall have gone into full effect, the revenue will, according to the average of the last four years, viz: from 1826 to 1829, inclusive, be diminished $3,664,435.

The proceeds of the sales of public lands will probably be somewhat increased. But the amount of these sales will be limited by the ability of those who purchase lands for their own cultivation, adventurous speculation having ceased with the credit system. This source of revenue, therefore, except so far as it may be affected by future legislation, may be relied upon hereafter to sustain the estimate made for 1831.

The reduction in the receipts from the customs, will be partially made up by an increased importation of the articles on which the duties have been reduced; at least, so far as the consumption of them may have been hitherto restrained by the amount of the duty. But the reduction in the rates of duty is so great, that no increase in the consumption can be looked for, so extensive as to make up any considerable portion of the deficiency; and, although the income and expenditure of the community may continue to bear the same relation to each other as heretofore, the amount of the duty saved to the consumer, instead of being applied wholly to the purchase of an increased quantity of those articles, will be distributed upon all the articles of consumption, domestic and foreign, dutiable and free.

In looking forward to the probable changes in the fiscal operations of the government, when the public debt shall be completely extinguished, it is worthy of observation, that with the exception of a single year, (1828), there has been a gradual reduction of imports since the year 1825, and a continued reduction in the exports of foreign merchandise during the same period. These facts suggest various considerations to be taken into view in estimating the future revenues of the government. They also shew, among other matters worthy of notice, that the navigating interest employed in foreign commerce, and particularly in the carrying trade, must have suffered material depression. That portion of the carrying trade which is unfettered by navigation laws, will necessarily fall into the hands of those who can navigate cheapest; and this falling off, gives reason to apprehend that the superiority heretofore claimed for American skill and economy in this pursuit, is yielding to more fortunate rivalry; and suggests the expediency of considering how far that interest may, without injury to others, be relieved from its depression.

The annexed paper marked M exhibits a detailed statement of the quantity and value of imports and exports, liable to specific duties, and the value of those paying ad valorem duties, and of those free of duty, from the year 1821 to 1829, inclusive, and will furnish the means of ascertaining the increase or decrease of each branch of import and export trade, and the probable effect of any proposed change, as well upon the revenue, as upon the various interests with which they are connected.

Should it be contemplated by congress, to make any further reduction of the revenues, preparatory to the period of the final extinguishment of the public debt, it is respectfully suggested that in order to avoid impairing this necessary means for the ordinary expenditures of the government, or encroaching upon the sinking fund, it will be proper that such reduction should take effect at a period sufficiently remote for the payment of the entire debt; as the reduction made at the last session will barely leave sut-

ficient revenue for those objects, during the ensuing four years. But, there are some articles on which the duty may be reduced without injury to the revenue, and with advantage to other interests. The most striking example of this nature will be found in the duty laid on spices. If the imports and exports of these articles known to be extensively consumed, but not produced in the United States, be compared, it will be seen that during the seven years preceding 1828, the nominal exports have exceeded in value the nominal imports, by the sum of $168,155. Whether the consumption has been supplied by fraudulent importations, or whether debentures have been paid on fraudulent exportations, the fact is conclusive evidence, that nothing can be lost by imposing a lower duty on those articles. The comparison for the last two years, exhibits a more favorable result; but the difference is still much less than the actual consumption: and where such extensive frauds have been so successfully practised, it is scarcely to be hoped that any degree of vigilance sufficient to prevent them, can be permanently maintained under the same temptation.

The attention of congress is respectfully invited to the operation of a clause of the 3d section of the act, entitled, "an act for the more effectual collection of the duties on imports," passed 28th May, 1830. The rule therein prescribed for appraising certain goods in packages, by adopting the value of the best article in each package as an average for the whole, went into effect on the 1st of October last. The notice was too short to allow of new orders being given in all cases; and some embarrassment has arisen in the appraisement of such articles, as had, for the convenience of trade, and without any intent to defraud the revenue, been usually put up in mixed packages. In anticipation of this difficulty, directions were given to the collectors to ascertain until the 1st of January next, the difference in each case between the amount of duty imposed according to this mode, and that which would have accrued according to the customary mode. But as the bonds have been taken for the duties on the average value, some legislative provision will be necessary to afford the proper relief. It may, also, be expedient to except some articles from the operation of the clause above referred to. Laces in particular are represented to be almost necessarily imported of different qualities in the same package; and some permanent inconvenience will be incurred to the trade in these articles, if the importer is obliged to have them assorted. It is also desirable, that the character of the package for each description of goods required to be appraised upon the average of the best article, should be defined by law. The department has endeavored to obviate some of the inconveniences arising from the change, and at the same time to secure the objects of the act, by allowing the parcels of such goods which were put up separately, and designated as packages in the invoice, though enclosed in one general package, to be regarded as packages for appraisement within the meaning of the law. But the constant efforts to abuse this regulation on the part of some of those for whose benefit it was adopted, and the intrinsic difficulty of fixing, without specific legislation, any positive limit to the extent of the parcel to be deemed a package, will probably render it necessary, should no alteration of the law be made, to rescind the order, and to recognise no other package than the entire quantity put up in one exterior box or envelope. The general operation of the clause, is found, however, to be beneficial; it facilitates despatch and uniformity in the appraisement of goods, as well as prevents frauds on the revenue; and, with the aid of the modifications suggested, mercantile ingenuity will, no doubt, find means, by conforming the packages to the objects of the law, to avoid its inconveniences.

Efforts have been made to give greater efficiency to the revenue cutter service. But it has become manifest that the compensation allowed by law to the officers, is inadequate. The office of third lieutenant, may, without injury to the service, be abolished; and, if an equivalent of the compensation now allowed to that officer, were divided between the other officers, and some addition made to the compensation of the warrant officers, to whom important trusts are confided, the service would be essentially improved, with but little increase of expense.

The regulations adopted for carrying into more complete effect the laws in relation to the revenue arising from customs, will be hereafter communicated, in obedience to the directions of the 10th section of the "act in alteration of the several acts imposing duties on imports," passed 19th May, 1828. There is reason to believe, that material benefit has already been derived from them, and that the measures adopted will improve in their effect, with the increased experience of the officers.

The reduction of the duty on salt made at the last session, which will take place on the 1st of January 1831, and 1st January 1832, respectively, would seem to render it proper to make a corresponding reduction in the drawback allowed on the exportation of pickled fish, which is fixed by the act of 29th July, 1813, at 20 cents per barrel, that being at the time the duty charged on one bushel of salt. Unless the law allowing the drawback shall be previously modified, the exporter will begin to receive, after the 1st of January next, a greater amount of drawback than the duty previously paid on the salt.

It is of great importance, as well to the revenue as to all the interests involved in the importation of foreign merchandise, that the action of the custom houses should secure, as nearly as possible, a uniform payment of duty upon the proper value of imports, as contemplated by law; but there are insuperable difficulties opposed to the accomplishment of this object, under the present system of impost duties, to which the secretary of the treasury would respectfully invite the serious attention of congress.

The valuation on which the ad valorem duties are now laid, is ascertained from the true or current value of the goods in the market of the foreign country in which they were manufactured or produced, with the addition of certain charges, and 10 or 20 per cent. as the case may be, when imported from this, or the other side of the Cape of Good Hope. The aggregate of these items on which the duties are laid, is presumed to be the value of the goods when offered for sale in the United States' market, but such is rarely the fact. It is not possible for the officers, even at any one custom house, to ascertain the current value in the foreign market with such precision as will render it an item of uniform ratio to that of the current value in the United States; and whatever approach might be made to this point by one set of officers, aided by long experience and superior skill, it is not to be expected that the officers of nearly 100 separate custom house establishments, can be so well informed of the value of goods at all the places of exportation, or so equally qualified by ability and disposition for the performance of this difficult duty, as to secure any reasonable degree of uniformity in the imposition of the customs at all the places of importations. These difficulties, added to the general repugnance of the officers to be drawn into collision with the importers, will always render the invoice prices of merchandise the chief standard of current value in the foreign market; and corrections will only be made in cases of palpable error. This defective operation is the highest perfection which the present system appears to be capable of. But there are other important objections to it, which are worthy of great consideration. All impost duties are intended to be paid by the consumer. The present plan frequently obliges the importer to pay them, and probably as often compels the consumer to pay more than the proper charge upon his consumption. When goods are bought at high prices in the foreign market, and brought into a depressed market at home, the duty may greatly exceed the advance which the importer is able to sell for; in which event, a part, or the whole of it, falls on the importer. But, if the goods are bought at prices below the usual current value, and brought into a market where the demand is brisk, the consumer pays not only the duty, but nearly as great a price for the goods, as if the duty were laid on their true value at the place of importation. In the first case, the operation may prove ruinous to the importer; and, in the last, he receives, in his profits, a portion of what ought to accrue to the government. By these operations, manifest injury is often done, either to the government, the consumer, or the importer, the uncertainty

and hazard of commercial enterprise are increased, and whatever failures ensue, the government will generally incur a considerable portion of the loss.

As long as the current value, or rather the invoice price of goods in the foreign market, is made the basis on which duties are laid, peculiar advantages will be given to those who have the best opportunities of purchasing, or of making up invoices at rates below the current value. The purchaser who lays in his goods low, not only derives a profit directly from this circumstance, but from the difference in the amount of duty paid on them at the custom house. For instance, a difference of 10 per cent. in the cost of an article, paying a duty of 50 per cent. gives an advantage of 15 per cent. to an importer, who can purchase his goods at 10 per cent. lower than another. This advantage is greatly increased under the operation of the classification of woollen cloths. These are now necessarily imported at prices near the minimum points; and those who can manage, either by making better purchases, or by disguising the current value in the invoice, to introduce cloths under a class of duty below that to which they belong, derive a much greater advantage than above stated. The cloths so transferred on the scale of duties, may pay in one case 45 cents per yard, instead of $1 12½; and such importers may monopolize the supply of an extensive part of the market for that article, to the entire exclusion of those who have less favorable opportunities of purchasing, or will not resort to unlair means in preparing their invoices. The necessary effect of the system is, therefore, to throw an extensive branch of the importing business into the hands of foreign merchants, who can always lay in their goods on better terms than American houses, having no connexion abroad, and into the hands of those who, whether foreign or American, are the least scrupulous of the means of gain. Under ordinary circumstances, the advantage which the American merchant has in selling, is equivalent to that which the foreigner has in purchasing; but he cannot also compete with a different rate of duty. Such a system, therefore, must either corrupt the American merchant, or expel him from all those branches of business in which these operations can be carried on with success. It is believed that an effectual remedy for this serious and growing evil, is to adopt the current value of all goods (subject to ad valorem duty) in the United States, as the true dutiable value; disregarding, of course, the cost in the foreign market, and excluding all charges and additions. Such a change, though important in its consequences, will not vary the principle on which impost duties are now presumed to be laid, and is in conformity with that which has long been practised in the most commercial nation of Europe. According to this plan, instead of resorting to vague and arbitrary rules to ascertain the value of goods in the United States, this object may be attained by direct means. Ordinary experience, skill, and attention on the part of the proper officers, will enable them to determine, with all necessary accuracy, the current value in their own vicinity, and the mass of information which might readily be collected to correct error, if any should be made by them, could not fail to secure a just and equal appraisement. This being accomplished; the government will receive the whole duty paid by the consumer, and no more; the price of goods will be more steady; merchants will be exposed to less hazard; and the opportunity of a fair competition between the American and foreign merchant, so far as it can be effected by the action of the government, will be restored to that equality, which a liberal policy cannot deny to foreigners, and which a wise government will always desire to secure to its own citizens.

An additional reason for the proposed change, may be found in the difference between the relative values of gold and silver as established by different nations, and the liability to error in estimating by law, the value of foreign monies of account in those of the United States. This may be illustrated by referring to the money relations of the United States with Great Britain, and with Portugal. The English pound sterling is fixed by law at $4 44, United States' money, while it is worth about $4 80. Hence, the importer of goods invoiced in sterling money pays a duty on 7½ per cent. less than they have actually cost. The millrea of Portugal is established by law at 124 cents, its actual value in United States' money is 111,222 cents; consequently the importer of goods from Portugal, pays duty on about 11½ per cent. more than their actual cost, which makes the difference between the valuation on which duties are imposed at the custom house, on goods imported from England and Portugal, about 19 per cent. in favor of the importations from the former. These discrepancies, as well as all those which arise from the occasional introduction of paper and other currencies in foreign countries, whose proportional value to gold or silver cannot be accurately ascertained, will be avoided by adopting the value of the goods in the United States' market, as the basis for charging duties. This effect of the monetary system, should of course be taken into consideration, in fixing the amount of duty in conformity with the proposed change. It cannot be doubted that a rate of duty imposed in this form somewhat lower than the present, exclusive of the allowance for the difference in the money, would not only produce more revenue, but give more stable and substantial security to the interests of manufactures and commerce.

The only objections to this change which appears to have weight, are, 1st. The difficulty of making so minute an appraisement as would be necessary, of all the articles of importation without a considerable increase of custom house officers.

And, 2ndly, of making the appraisement uniform at all the ports.—The first may, it is believed, be obviated by arranging the goods into classes according to value, in such manner as to render the appraisement not more laborious than at present. These being so adjusted as not materially to vary the rate of duty between contiguous classes, and yet sufficiently distinct to enable the appraisers to assign each article with reasonable accuracy to its proper class, aided by an invoice of the goods at their value in the United States, to be furnished on oath by the importer, would secure all the facilities desired for expedition and accuracy in the appraisement, with but little addition to the number of officers, or the expenses of the custom house.

The second objection applies to the present system with more force than to that proposed. But this difficulty may be removed by establishing a regular intercommunication and transmission of prices current and samples between the custom houses, which could not fail to prevent abuses and secure a more uniform appraisement than when the valuation is based on prices in the foreign market, inasmuch as it will be easier to ascertain the current prices at the principal marts of commerce in the United States, than in those of foreign countries.

In recommending these important modifications in the impost system, as well as those suggested in the last annual report, it may be proper to remark, that it is deemed by the department very undesirable to make frequent changes in measures of public policy which affect so extensively individual as well as public interests, and that proceedings of this nature should be subjected to a careful scrutiny, and ample time given by way of notice to all who may be affected by them, as well foreigners as citizens of the United States, before they are carried into effect. But, notwithstanding this indisposition to change, it is proper to remark, that much of the legislation upon this subject, since the act of 2d of March, 1799, has been adopted chiefly with a view to promote particular objects of special interest, pressing upon the government at the moment of its action; and hence some necessary precautions for guarding the revenue and avoiding the injuries liable to be inflicted by the changes upon those engaged in commerce and other pursuits, seem to have been overlooked. The approaching crisis in the fiscal policy of the United States, will require a revision of an important part of the system; and the opportunity will be propitious for a general review of its defects. The proposed modifications are, therefore, now presented to the consideration of congress, to afford time for mature deliberation and for collecting all the information that may be necessary, if their adoption should be determined on, to reconcile individual interests with those of the government. All which is respectfully submitted.

S. D. INGHAM,
secretary to the treasury.

Treasury department, 15th December, 1830.

NILES' WEEKLY REGISTER.

FOURTH SERIES. No. 19—VOL. III.] BALTIMORE, JAN. 1, 1831. [VOL. XXXIX. WHOLE No. 1007.

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT $5 PER ANNUM, PAYABLE IN ADVANCE.

☞This is the first day of a new year, on which, from "Freedom's chair," the editor has often presented his thanks to his numerous friends—reviewed the past, and exposed his future designs; but such cannot be allowed just now. And, indeed, his supporters have become so well acquainted with him, that, at this late day, such a proceeding would not profit either party. In the last year, some errors of the *head* must have been observed—some errors in judgment committed; but if the *heart* remained in its "right place," all those have been excused. Much has happened to please, and some things to vex; and if he has not forgotten himself in compliments rendered, or censures cast upon him, there is much to be satisfied with. He has been cheered by old friends at times when he needed it—because of the bitterness with which he was assailed, and by those who will not meet him in manly argument and liberal discussion. Persecution, too, has been abroad—and individuals have impeached his *motives*, because of the support of principles which he entertained before the mothers of these anticipated their coming. But, in general, the business of the year just ended has been encouraging: the "fee-way" of the former is just about "brought up," and he will go on with renewed dispositions to fulfil the just expectations of his readers. He will travel in the old course.—If any have hoped a change, this is a good time to settle their accounts and retire—to those who desire no change, this season is most happily fitted for *notes* of approbation, and a due administration of the *pabulum ventri*; for, whatever a few may seem to believe, the fact is—that editors and printers must eat like other folks. He says this from personal experience, and knows that it is true! And yet further, it is a most convenient season for new subscriptions, and it would appear that many people think so—for he expects to *register* a long list of new friends in the present month. He begins the year in perfect good humor, unless with jacobin *nullifiers* and *political* anti-"American system" men in the United States, and tyrants elsewhere, having *settled* a long-standing account with Mr. Ritchie! He is in fine health and good spirits—for which he desires to be thankful; and will stand or fall with the doctrines which he has espoused, while ability remains to support or defend them. He unfeignedly regrets the want of talent to give utterance to his thoughts—to explain the operations on his mind—to do justice to the leading subject that engages his attention; but he renders to it the first fruits of an unwearied industry, and if the talent given is *faithfully* used to increase its value, he has a joyful confidence in firmly believing, that the GIVER of it will mercifully disregard whether it has produced two, or two hundred, fold.

He tenders to all the compliments of the season—wishing happiness and peace to every member of the human family; that the "wicked man may forsake his ways," and all "learn to do well;" and is not without a hope that *even* the "nullifiers" may "reform!" To this hope he is encouraged by the recollection of a remark made more than thirty years ago, by a veteran of the revolution—that he thought it *possible* for the tories who had fled to Halifax, to become honest men, through the goodness of GOD!

☞At the present time—when nearly as much desirable matter for every week's publication is lying over as would fill a whole volume! and many interesting events must remain unnoticed, because of the want of time to prepare, or of room to insert them, I feel somewhat discontented because of the space that is occupied by my own compositions; but the "leading article" seemed as if *forced* upon me. Amends shall be made by the issue of a gratuitous supplement next week.

The mighty mass of foreign news has been condensed with much labor and great care, to catch its prominent points. Two things are important—the state of feeling in England, and the utter prostration of the *dragoon*-ministry of Wellington; and the prospect of a general war in Europe: but, perhaps, the emperor of Russia will think better of the matter, before he engages in a contest that must have gigantic effects, end as it may. The field marshal Wellington has been succeeded by a distinguished civilian; and, for many reasons, I rejoice that he has been put down. The *whig* party is in place of the *tory* party, and we may expect important *reformations*. The nest of the duke, and those of his family, however, are well "feathered"—they have "plucked the public goose" to the amount of 500,000 or 600,000 dollars a year, and, generally, with so much *discretion*, that they can hardly be deprived of these rapacious exactions but in a *revolution; permanent* revenues having been carefully selected for the "good of the family!" It looks likely, that Wellington will sink to the lowest degree of popular contempt—if indeed, he shall escape the popular resentment, in attacks on his person, because of his proscriptions and the tyranny of his administration. It is long since such dispositions were shewn in England as now prevail there. The *people* seem resolved to be heard and attended to. May they go onward—onward—onward! and especially break down the "splendid pauper-system" in the church and state, by which the vitals of the laboring classes are preyed upon by lazy knaves.

"THE TARIFF, AND POLITICS FOR FARMERS." This is the heading, or title, of a long article in the "Richmond Enquirer," of the 23rd ultimo, signed "A Practical Man,"—but which, I think, if not really written by the senior editor of that paper, must have been prepared for publication by him. There is a *littleness* in this piece, and a *garbling* of extracts—with *mistakes* as to the plain meaning of words, and wire-drawn reasonings from false premises, which powerfully mark its paternity. And besides, and more than all, it is most lustily praised by Mr. Ritchie—a distinguished favor that he has oftentimes been suspected of extending to the productions of his own prolific pen. For great perfection in this "art of an able editor," Mr. Ritchie, (justly or unjustly, I know not), has long been celebrated.

For a considerable period, Mr. Ritchie seems to have acted as though he believed himself specially appointed by the SUPREME INTELLIGENCE to dictate opinions and prescribe rules of conduct for all the inhabitants of this "lower world." "Alps and Pyrennees sink beneath" *his* sceptre, or present no barrier to the exercise of his right to "*curse*" or bless persons at pleasure, or transform "*nuisances*" into benefactions, at his will.—Not content with directing the affairs of the "whole universe of America," as I once heard a Virginian say, he lectures kings on their thrones, and admonishes generals at the head of their legions in Europe; and would instruct the emperors of China and Japan, if chance copies of the "Enquirer" ever wandered to Pekin and Jeddo. The awful wonders of nature displayed in the Himalaya mountains, are as familiar to him as the "pigeon holes" into which he casts his own precious manuscripts—and the interior of the hut of a Hottentot, with all its grease and filth and smoke, is penetrated by his all-discerning eye, with the same ease that he discovers a constitutional point! Nothing escapes his commendation or reproof—unless in that profound *discretion* for which he is so very remarkable! He is ever standing "like a grey-hound in the slips," for the *pursuit* of any distinguished man, or favorite project, whose popularity is on the wane; or, crouching to the earth, watches the *rising sun* with more than ten-fold Persian devotion, that he may catch its first beams, and offer *his* sacrifices. Nay, he will deal the "deep damnation" or grant an *apotheosis* to the same individual, almost in the same week, as influence is lost or obtained. Witness John

Randolph, James Barbour, Littleton W. Tazewell, and other celebrated Virginians, (living or deceased), with Andrew Jackson, John C. Calhoun, and other chief persons in the national government. He is a cormorant of praise, and cares not whence it comes. Like the Ostrich, he swallows rusty nails, though abstracted from the coffins of the dead! His vanity is paralleled only by his inconsistency, and either is boundless as space. The times change and he changes with them; though frequently approaching his object in *caution*, after the manner of the worm that crawled to the mountains' top, whither the eagle had darted as to his home. Had I a file of this paper, and it were worth the while, I would build up a sharp-pointed monument of his tergiversations and impale him thereon, to serve as a weather-cock for "scurvy politicians, who seem to see the things they see not," to look at and really see. But it is *not* worth the while.—Mr. Ritchie's presumption and instability are known to all men without the range of the dark circle which the great magician, "party discipline," draws with his wizzard wand; and, if perchance, on any occasion he has selected a side least calculated to feed his vanity or subserve his interest, it is only an exception to a general rule.

For some months past, Mr. Ritchie has not only been in the habit of lecturing me with all the gravity of an old woman seated on a three-legged stool, delivering her *oracles*, but of so rudely assaulting me, that I have really apprehended he must have been the *manufacturer* of the infamously famous "East-room letter," and not merely the *responsible* author of a tissue of lies, of which the tales of "Mendez Pinto were but a type." "I saw," says the "scurvy politician" who made that letter, what, at a long interval, he admitted that *he* had not seen! The story had a "*beautiful effect*," (as col. Laval said was the operation of grape-shot upon cavalry), and, having answered its purpose——was freely acknowledged to be false! The apprehension just alluded to has been strengthened by this characteristic fact—that Mr. Ritchie published that letter with a seeming holy zeal for the simplicity of our republican institutions, about which he roared like a lion of the desart, or a "bull-calf prick'd," in *wonderment* at the extravagance and aristocracy of Mr. Adams, though the room was unfurnished, as he must have known in three or four days after he gave out the scandal—but he has spoken as "gently as a sucking dove" of the same room, since really furnished, under the administration of gen. Jackson, in the "royal" style described, *in advance!** And so again, only a few days ago, he offered a severe censure on Mr. Clay, because a rumour had gone forth that he would be elected a senator of the United States from Kentucky—notwithstanding that gen. Jackson, though placed more prominently in the station which Mr. Clay now occupies, had been elected a senator of the United States from Tennessee, and served as such until the inauguration of Mr. Adams, when he resigned. I mean not to censure, nor praise, either of the distinguished gentlemen named, because of the things suggested—but if Mr. Adams was blameable for *imputed* gorgeousness of the "East-room," gen. Jackson must be because that this room *is* gorgeously furnished; and if it is a just charge against Mr. Clay, that some persons, without his authority and against his well-known wishes, have thought of him as a senator from Kentucky—what must be said of the *manner* and *time* in which gen. Jackson was elected to the same honorable station from Tennessee? The different circumstances, in the *actual* case of the latter and *supposed* one of the former, might be pointed out; but, as has been several times said, this work shall not enter into personal party politics.

Many such things pressing themselves on my remembrance, I rather pitied, than felt offended with, Mr. Ritchie, and suffered him to let-off the high-steam of his own importance, though directed at myself, in silence—seeking peace and wishing to avoid an "unprofitable contest," except that, two or three times, I made a good-humored allusion to the thousands of "momentous crisises" that he used to discover, or quoted *obsta principiis*, which he had flattened "like unto" a pan-cake, by his everlasting hammerings of that valuable maxim: and, I will also frankly confess, in the entertainment of a hope, that my refusal to notice Mr. Ritchie's solemn admonitions to, or rude attacks upon, me—might have induced him to *suffer* me to pursue my humble labors undisturbed. Not that I *feared* the great Mr. Ritchie in the "wordy war;" for I had encountered him often—and many, even in *his own* "ancient dominion" were pleased to say that I had driven him from the field—though in nearly every case, if not in all, the ground for the contest was of his own way ward selection: for it is as much a rule of conduct with me to act defensively, as it is with Mr. Ritchie to make offensive remarks, on those who do not follow his leadings—*provided always*, "the wind is at north-east," and he, quickly discovering the difference between a "hawk and hand-saw," does not veer about suddenly, and, by bellowing the loudest, attempt to lead the party that was just about to trample him under foot. But I refrained, because thinking that the room which I had to spare in my small weekly sheet, might be better appropriated to other purposes than contests with Mr. Ritchie; who, instead of meeting me with *facts* and *figures*, would run into abstract discussions—and exhaust his fount of type by the use of senseless marks of interrogation—fifty of these crooked things [???], sometimes being used in as many lines; for they are the constant resort of the "oracle of the junto," when pressed into argument—and, by a skillful management of them, he has crept out of many sound literary floggings. I shall not compare them, in his hands, to the *tail* of a certain offensive animal, if closely beset—and yet the figure is an appropriate one!

Notwithstanding that I declined a contest, as above stated, it was only the other day, (the 14th Dec.) that, though so much occupied by other matters that he was compelled to postpone *his own* explanations on the president's message, [without reading which no one shall dare to comprehend that document!] he found room to fill more than the half of one of his heavy columns with garbled extracts from the "Register," and "wise saws" and grave remarks, to shew *my* "bad taste," and he spoke of my work as it "*has been*," with a manifest view to injure it as *it is*. I felt the impudence of his uncalled-for judgment, and noticed the mean attempt to do me harm; and yet I passed both over, believing that my friends, so far as Mr. Ritchie's attacks should meet their eye, would smile at the gross want of modesty in his first point, and despise the miserableness of the second. What concern has Mr. Ritchie with *my* taste—and whence *his* authority to pronounce upon it? "I owe him no subscription." In the mightiness of his own influence, he should have permitted me to paddle my little bark "in mine own" way. The public had not desired *Thomas Ritchie's* opinion of *Hezekiah Niles*; nor will I consent that the *responsible author* of the "East-room letter" shall take the place of *custos morum* over the public press in these United States—though he may discern a "mare's nest"* in every sheet issued except from his own office, or be alarmed with a "momentous crisis" in the twittering of every swallow that he shall hear in the ensuing season.

Thus circumstanced—seeing that forbearance had invited aggression, I have taken up my defence, in a brief return of the several attacks made upon me; with a sincere desire, that this may be the last time when I shall feel compelled to a procedure so repugnant to my natural disposition, and unsuited to that consideration which I wish to bestow on other far more interesting things. And what I have said may, (with much humility be it spoken!) serve as a *hint* to Mr. Ritchie, that the *mechanic*, who is proprietor and editor of the "Weekly Register," can, if hard pushed, point a pen as sharply as the renowned and learned and classical and well-born, editor of the "Richmond Enquirer!"

I shall here leave this branch of the subject intended by way of replication to Mr. Ritchie, and proceed to offer him a fair and manly challenge—not with swords or pistols or bludgeons—for I cannot raise, and extend, either arm for the use of such things, though they serve

*This room ought to have been furnished, in the manner that it is, years ago, as originally intended.

*This is one of Mr. Ritchie's elegant phrases, as applied to something in my paper—and is evidence of *his* taste.

me all the ordinary purposes of civil, social and honest life——but with calmly-made and not sharp-nibbed pens. To balance this selection of weapons, on my part, I will yield to him the choice of the ground for controversy, as to the *constitutionality, operation* and *effect* of the "American System," as applicable to the protection of domestic industry; involving the *principle, condition* and *result*, of each of the great questions at issue. Let him put down the propositions, broadly and distinctly, and take the lead in the *argument*,* which shall be confined to six essays a-side, of a length not exceeding the space of 12,000 m's—or about two and an half columns in the small type of the "Enquirer," or three pages of the "Register"—two essays, on each side, to be written on each proposition, and published in our papers respectively, *with an interval of one week before any answer, or reply, thereto shall appear.* This will give those interested time to reflect; and, that a correct public judgment will be pronounced, cannot be doubted. I have a strong,—but hope that it is a reasonable wish, to place myself before the readers of the "Enquirer"—and such disposition may rightfully prevail in the mind of Mr. Ritchie, to chase away the *delusions* into which most of my readers are supposed to be led. Great errors exist, on one side or the other—let us examine them as men should do, with zeal to ascertain and willingness to acknowledge truth, and some degree of public good must result from the investigation; which, however, cannot be commenced, on my part, until three or four weeks after the rising of congress, for want of disposable room. I have too frequently excited the notice of Mr. Ritchie to suppose that he will *sink his grade* by accepting this challenge. I shall yield to him the aid and assistance of all the presidents and professors of colleges, and "philosophical" members of congress, &c. that he may please to call in, in whole or in part,—promising to confine myself to my own resources, and my own enquiries, of really practical men.

Come on, then, Mr. Ritchie—or hereafter "let me alone."

To proceed with some remarks on the essay of "A Practical Man," which led to the present writing. The little article published in the "Register," entitled "Politics for Farmers," seems to have haunted Mr. Ritchie like an evil genius, and he appears constantly afraid of a meeting at "Philippi," by his frequent notices of it—not in contesting the facts it is presumed to set forth, but to snarl and snap at it. If more than an hundred editors of papers, in the exercise of their own free will, have been pleased to give a wide circulation to that essay—let Mr. Ritchie write a reply which shall have the same currency, instead of grunting and grumbling about the *ignorance* that prevails. It is *his* business to right a much abused world!—and I promise to give his remarks a place in the "Register,"† if he will suffer his readers to know what *are* the "Politics for Farmers," which he has so often, and contumeliously, spoken of. But in this respect, he has acted with his usual *discretion*. My article is sufficient to excite his irritability—but not of importance enough to fill up a few columns of his paper. Why not then, let it pass quietly—as a folly produced when seated in "Freedom's chair," about which he has been so witty and—awful? Mr. Ritchie made a pompous annunciation of the essay about which I shall now speak, and, even in his interminable remarks on the *president's* message, lugged in "Mr. *Niles*," and his "*Politics for Farmers*," and referred to a "*Practical Man*," for "lucid views" and "clearness of views," on the subject of the tariff.

And what does the "Practical Man" say? He *admits* every important point that is made in the "Politics for Farmers," as to the superiority of the *home market* and the *reduced price of commodities*, in general—and carefully abstains from touching the *figures*, lest he might be compelled to use some of his own! But he has used a few, and I shall clutch them presently. The "Practical Man," however, is pleased to ascribe *reduced prices* of manufactured goods to causes uninfluenced by the tariff. I have said, that such reduction "was the natural result of *competition*, no matter whether among ourselves, or of the working people of the United States against those of Great Britain." We agree, however, in this—that the price has been reduced, notwithstanding the tariff; *the benefit is obtained*, and all men may speculate on its causes at pleasure. This is the amount of all that I said in the "Politics for Farmers." It was sufficient to the facts contended for, that the price of commodities had *retired* as the protection of domestic industry *advanced*; and I proved, by numerous references, that duties paid on *foreign* articles were not taxes on the consumers of *home* manufactures. And, as just before observed, all that I really said is admitted by the "Practical Man!" He could not do otherwise.

The wide range of the remarks of the writer whose essay is before me, prevents a regular and full reply. It abounds with *Ritchie-isms*—things not to be grappled with. He however says, that flour "may ALWAYS *be shipped to England, with a fair prospect of profit*," at 4¼ dollars per barrel. We shall see. Five bushels, or 300 lbs. of wheat, are regarded as the equivalent of a barrel of flour, leaving no more than a reasonable compensation to the manufacturer, on the average prices; this would give the American farmer, at 4¼ dollars the barrel, 85 cents per bushel (or 60 lbs.) of his wheat. Now, when the average price of wheat in England is 50*s.* the quarter of 8 bushels, (560 lbs.*) equal to 1,110 cents, or very nearly 120† cents, for the American bushel of 60 lbs.—the duty is 44*s.* 8*d.* per English quarter, or 106 cents on the American bushel, if consumed in England. This duty, added to the cost of the wheat in America, 85 cents, as just above stated, (without allowance for freight or charges), would bring up the cost of a bushel of *our* wheat in England to 191 cents, or 71 cents more than the current selling price of British wheat, in the British market; and, in such a state of things, the flour being worth only 425 cents per barrel in America, but subject to a duty of 598 cents abroad, would have an aggregate cost, in England, of 355 cents *more* than so much English flour, without freight or charges! Will the "Practical Man" dispute this? The duty rises, as the price of British grain declines; but until the "starvation point" is approached, American flour *cannot* be exchanged for British "bombazettes" nor "bombazeens"—IF TO BE CONSUMED BY THE PEOPLE OF BRITAIN. But, at a very low price, it is sometimes *exported* from England to other places—to the West Indies, for example, and may pay the freights.‡ The writer in the "Enquirer" will excuse me for believing that he is *practically* ignorant of the merits of the thing which he speaks of. It is thus that foreign sugar may be "*always*" imported into the United States at *certain* prices, with a "fair prospect of profit," because that it may be exported to various parts of continental Europe. *British* wheat has been profitably imported into the United States, and "always" may be, at a reduced price: so might *cord-wood* and *coal* be sent from Liverpool to Richmond.

I shall now make an extract of some length,—an *honest* one, just as I find it printed in the "Enquirer," ungarbled—

"In this article of Mr. Niles, [Politics for Farmers], published and extolled in all the tariff presses, cotton goods are said to be 50 per cent. cheaper now, than before the passage of the tariff laws—This is admitted at once, but it does not prove that the cheapness is owing to the tariff, or "that coarse cotton goods are cheaper in Providence than Manchester, England," which is positively, or, to use his word, *'understandly'* asserted.—Some kinds of low-priced goods are made in this country of cotton, as well as other materials, very unlike any made in England, and which kinds possibly are something like as cheap as they could be got up abroad; but this is merely an exception, supposing it to be true,

*Or, if more agreeable, I will put down the propositions and commence the argument.

†If of a decent length—say no more than *twice* as long as my essay!

*The English bushel is arbitrarily rated at 70 lbs. as we rate it at 60.

†Really 130 cents, as compared with the values of British and American *money*, as we shall shew below.

‡The chief part of the flour exported to England, except in seasons of scarcity, is exported from thence,—unless *sour*. Indeed, I recollect to have seen it suggested that American flour had better be sent to Jamaica, by way of Liverpool, than St. Thomas. The duty, of course, is not charged on flour exported.

and therefore, wholly inconsequential. By *cotton goods* I should mean such articles as were made of cotton, and in general use in the United States, and in this (the most favorable for Mr. N.) sense, I deny that "cotton goods" are within 20 to 50 per cent. as cheap in this country as England. All the advocates of the tariff admit this, however, in effect, by refusing so to modify it, as to admit cotton manufactures at a duty of 25 per cent.* Nine-tenths of the cambricks, all the muslins, nine-tenths of the prints over 22 cents the yard, the ginghams, the vestings, pantaloon stuffs, &c. &c. &c. are still imported though much the largest part pay fifty per cent duty; and yet people are told that "in cotton goods, we undersell the English."

I thus treat the "Practical Man" not as he has treated me. He is suffered to speak for himself, and in his *own words*—which is *anti-Ritchie-ismatic*, in disputed points!

Well—and are not cotton goods, as *named* in my essay, and all "*the common* articles for men and women's wear," "fifty per cent. cheaper than before the tariff?" But this, again, is admitted! and, whether it is owing to the tariff, or not, I don't care. It was the simple fact that I spoke of. It is rather allowed that "coarse cottons are cheaper in Providence than Manchester," as I asserted—adding, that this, to use "his [Mr. Niles'] word, is *understandly* asserted."

I cannot appreciate any state in which the mind of an *honorable* man can be placed, that should induce him thus to use a *manifest* typographical error against an opponent. It is the super-sublimated essence of the "Enquirer" press. It is the excellency of all that is contemptible! It brings to recollection a charge of gross ignorance imputed to me by a Mr. Mac *Something*, (I forget what, and its not worth looking for), of the famous town of Columbia, S. C. under the direction of the more famous *English* "calculator of the value of *our* union," at that place, because that, in a *re-print* of one of the sheets in an early volume of the "Register," (which I had never read), a certain typographical error was committed, being explained, however, by the words or figures that *immediately* followed—but this "limber-bearded" pupil of the insurrectionary philosopher, or mere copyist of what the latter was not pleased to put forth in his own name—like a scorpion, surrounded by fire, inflicted *capital* punishment on himself, because of his rude charge against me, in committing the *same, exact, identical* error, in the very book that he "made" for the purpose of abusing me! This caused Mr. Mac *Something*† to feel a little foolish, when it was pointed out to him; and, perhaps, the "Practical Man" will not find himself more "comfortable," under *his* own meanness, before I shall have finished with him: for the word which he has caused to be printed "*understandly*," was not only written but really *printed* by me, "understand*ingly*," (a very proper word, I believe), as a reference to the files of the REGISTER will shew. How pitiful then, is this act of the "Practical Man!" Let him "creep into an auger hole," and hide himself there.

The rest of the sentences quoted contain—nothing; else admit all that was said, or *insinuated*, in the "Politics for Farmers."—But, in a sweeping reply to the whole, every *practical* man ought to know, that cotton goods, of prices not exceeding "22 cents the yard,"‡ take in not less than four-fifths of the whole quantity consumed, even if he means the fair American price of such goods! I spoke only of the "*common articles*," and the "enemy has written a book" to prove that my saying is true. Thus—

> "Some muskets so contrive it
> As to miss the thing they drive at;
> And if aimed at duck or plover,
> Bear wide, *and kick their owners over.*"

Then follow some matters which are so desultory and diffuse, that, like Paddy's horse, they have the *only* fault of being hard to catch, and good for nothing when caught."

Another extract—

"No man," says the 'Practical Man'), expects or desires the *unconditional repeal* of the tariff, but thousands are anxious to see it confined to its *original* intention*—that of providing the means of meeting the *proper expenses* of the national government."

It is doubtful whether a *practical* man ever incorporated, in so many words, a greater amount of *radical* error, in *seeming* fairness. No one can believe that the slave-holding states desire an "*unconditional* repeal" of the tariff—because that, as revenue must be had, a resort to *direct* taxation, (the most honest of all), would be indispensable; and then the negroes would count three-fifths for *taxation*, as they count for *representation*. The system of indirect taxation is always partial and unjust, and always operates most severely on the poor laboring classes of *citizens*. We have not time to discuss the matter—but the south has enjoyed a large share of representative power without reference to the original principle, (that of taxation), on which it was granted by the constitution, which I have no desire to disturb. There are 25 or 24 *representatives of slaves* in congress, and at least twenty of these have always, it may be said, been found opposed to a protecting tariff—on an apprehension, perhaps, that the success of the home industry may so reduce the price of manufactured articles, that they cannot be imported, even at a "revenue" tariff, and hence the prospect of a resort to direct taxation—which bears more heavily on the south, because of its representation on account of slaves; yet it dare not be complained of, for *that* reason.

I plumply say it was *not* the "original intention" of the constitution, that the tariff should only "provide the means of meeting the *proper expenses* of the national government." Mr. Madison, in his pamphlet written in 1795, and noticed in the REGISTER of the 11th November last, tells us that the *original* design of the constitution, *originating* in Virginia [mirabile dictu!] was for the leading purpose of giving *protection* to the industry and pursuits of the people of the United Colonies; and his famous resolutions, of 1794, were exclusively founded on this principle, and covered all the claims now made by the friends of the "American System!" These matters were fully discussed in the first congress of the United States at New York, in 1789—but no one doubted the right and duty of congress to assess protecting duties; the *expediency* of certain of them (as proposed), was only questioned, as a reference to Lloyd's debates will shew: and the second [the tariff] act passed by that

> ——"can a hair divide
> Betwixt its north and north-east side,"

and feel more pride in such a demonstration than the ancient philosopher experienced, when, on a certain great occasion, he exclaimed, "I have found it!"

Let the "Practical Man" look at the remarks of Messrs. *Howard* and *Speight*, in the house of representatives, received since this article was prepared—behold the calmness with which the former approaches the point aimed at, and mark the *temper* and the *terror* of the latter. I defy the whole anti-tariff "FACTION," (to borrow a word from Mr. Speight), to the proof, that the "original intention" of the tariff was for revenue purposes, only. It has been a thousand times asserted and thousands believe it. We say that this idea is a newly *manufactured* one. The proof of their assertion rests with our enemies. Let the "faction" produce it! *They* have the records—every department of the government opens its doors to them—Give us the proof.

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*Simply to preserve *steadiness* in the home market—for which purpose England has hundreds of regulations. *She* does not admit even cotton goods at 25 per cent. on their *cost*. If the "Practical Man" don't know this—let him enquire of——Mr. *Ritchie!*

†It was strongly hinted in the gazette of *Mordecai*, "high-priest and prince of the Jews" by his own appointment, that the person alluded to had made a voyage to *England*, to ascertain what support in *multiplicatory* muskets, or otherwise, could be obtained, in a certain contingency. But John Bull seems to have thought that the risk of getting more *slaves* was greater than the worth of them, if obtained.

‡We are thankful for even these two *figures*.

*"*Original intention!*"—If my recollection serves me correctly, this "original intention" was never *discovered* until the constitution had been in actual operation twenty-five or thirty years, though one hundred acts for the *protection* of the industry of the people of the United States had, probably, been passed; and the discoverer is one who

congress [in 1789] had this title—"for the support of government, for the discharge of the debts of the United States, and *the encouragement and protection of domestic manufactures.*" Shall any one then venture to say, that the "*original* intention" of the tariff was for revenue only? The whole history of our people *before* the revolution—of the principles that sustained them in the contest; and of the *origin* of the constitution and the *original* practice under it——are all opposed to the reckless or ignorant assertion of the "Practical Man."

I shall give one more extract—

"The unheard-of rise of from 20 to 70 per cent. in the price of northern woollen goods, and a decidedly deficient supply even at the very high rates, is attributed wholly to the duty on wool ("imposed by the south and they will pay it") for the two-fold purpose of getting up a prejudice against the south, and of enlisting the north-west with the north for its repeal. It will be recollected, that the tariff of 1828 could not have been passed but for the unnatural union which was effected between the wool-growers, iron masters, *sugar planters*,* manufacturers and president-makers—all of whom were promised some benefit. Without the duty on wool, it was ascertained, the scheme could not be got through; and therefore it was submitted to by the manufacturers, under the hope of being able in a year or two, by getting up a crusade against it, to have it expunged from the law."

On reading this extract, I was led to query, whether the "Practical Man" might not be a friend of the tariff *in disguise*, except because of his *false* quotation.—Again, he admits all that I asserted. I spoke of a rise in the price of woollen cloths, because of a rise in the price of wool—but said, they were yet cheaper than ever they had been under a mere *revenue* duty, and I was assured of its truth. "The unheard-of rise of from 20 to *seventy* per cent." shews the desire of having a great latitude! It is possible, that *puddings* for the collars of dandies' coats, may have risen 70 per cent. but woollen goods, in general, have advanced no more, proportionally, than have the materials used in the manufacture of them. This is in concord with the laws of scarcity and demand. It would not be "unheard-of" to learn that flour and tobacco had risen *three hundred per cent.* on their present prices. The pretended quotation that the "duty on wool was imposed by the south, and they will pay it," is neither in my words nor within the scope of my meaning, and ungenerous. I said that "negro cloths, which sold for 27 cents before the tariff of 1828, because of a glut, were sold at 22 cents in 1829, and now [September 1830] were worth 42 cents—adding, that "the south imposed the duty on *coarse* wool and will pay it." This is true—look at the yeas and nays!—That foolish duty would never have been imposed *but for the south*—of the 80 who voted against it, only 4 were from the south of "Mason and Dixon's line"—of the 112 for it, 71 were southern votes—only 41 from all the "tariff states!" Whence then the "unnatural union" spoken of? But there was an *unnatural union* between 41 tariff "president-makers" from the states north of the Potomac, and 71 anti-tariff "president-makers" south of that river. It was an unholy "combination;" and if the "Practical Man" will read the "minutes of evidence" before the committee on manufactures, he will see that the *wool-growers*, with singular unanimity, were opposed to a high duty on wool. They wished a steady market, rather than a greater price, and were not silly enough to believe that protection in the growth of wool, could, of itself, render them any permanent good. A dozen or more persons, whose chief annual production was in their flocks, attended at Washington in 1828, and I never heard that one of them desired a general increase of the duty on wool—though I oftentimes freely discoursed with them all. This is, perhaps, beyond the comprehension of *the* "Practical Man" at Richmond; but it is true, and for reasons that ought to be familiar to every practical man.

The length of this article admonishes me to hasten a conclusion, but I shall make another quotation:

"The duty on woollen cloths may now be put down at an average of 65 per cent; for the cost abroad is so low as to make the mode of estimate fall very heavily. Very good 6-4 cloths are imported which cost 9*s*. 10*s*. and 11*s*. sterling the yard, and for the purpose of shewing the mode of estimating the duty, I copy an invoice furnished by an appraiser in this city, who measured and valued the cloths in the presence of the collector.

	£.	*s*.	*d*.
25 yards 6-4 blue cloth, 9*s*.	11	5	0
21 ½ " " " 9*s*. 9*d*.	10	9	7½
20 ¾ " " " 10*s*.	10	2	6
Cost of three pieces delivered at Liverpool	31	17	1½
Exchange 33½ per cent.	10	12	4
Equal to	$141	58	

"Formerly when the duty was 25 per cent. to the cost, say $141 58, was added 10 per cent. making $156 83, and the duty, therefore, $39 20, but now 66¾ yards 6-4 wide is one hundred yards square, taken to have cost 250 cents, because it cost over 100 cents, is $250 at 45 per cent. which makes the duty $112 50, or 79 per cent. on the cost. The reader will recollect that the above case is from the custom house; and that the cloths are such as usually sell from five to six dollars a yard and comprehend a very large amount."

I do not know that I can speak understand*ingly* of this extract. It is altogether on the high-pressure principle, and I cannot catch a glimpse of what is meant by the "Exchange 33½ per cent. £10 12 4!" I dare not believe that the case, *as presented*, ever came from a "custom house." The figures offered as to the amount of the duty on *such* cloths, may be true, but the importer of them would not get much credit for his knowledge of business.

The minimums established for the assessment of duties on cloths are 50, 100, 250, and 400 cents, as the cost of the square yard. Now, as we call our dollar 4*s*. 6*d*. sterling, (though only worth about 4*s*. 1½*d*.) cloths which cost 6*s*. 9*d*. the running yard, 6-4 wide, are fairly imported under the dollar minimum. Being aware of this fact, the "Practical Man" might have made a much more alarming statement, as to the *per centum* of duty paid! His 66¾ yards of cloth being put down at seven shillings, and costing in the whole only £23 3*s*. 6*d*. but coming within the range of the 250 cents minimum, would pay $112 50, in duty, as arranged by this writer, or nearly 110 per cent. on their cost! But who would import cloths at that price? None other than such as those who sent *grates* and *stoves* to *Buenos Ayres*, when the people then had cast off their dependence on Spain. Almost the entire import is *at* the minimums—a little under, perhaps, but never intended to exceed them, respectively—unless to be smuggled through the custom houses. We see that the duty on 66¾ yard cloth, at 7*s*. the running yard, is 112 dollars—but if the cloth had cost 6*s*. 9*d*. the duty would have amounted only to 45 dollars—nay less, because of the different values of the dollar in England and the United States, as I shall shew.

The dollar is rated by us as equal to 4*s*. 6*d*. sterling, but worth only 4*s*. 1½*d*. and the finance committee of the senate, at the last session, shewed that it was necessary to send 109 dollars to London to pay a debt that we *call* 100 dollars, owing there: that is, that our value of the dollar is 9 per cent. more than it will sell for in England. Then—

66 2-3 yards of cloth, at 6*s*. 9*d*. is the equal of	$100
Add the 9 per cent. above spoken of	9
	109

And, as these goods would pay a gross duty of 45 dollars, the *real* duty is only about 41 per cent. on the cost.

The same principles apply to all the minimums, and are every day brought into operation by importers.

I shall here take my leave of the "Practical Man"—not that I believe he will profit by the *practical* facts which I have given him—but because that this article has extended to an unreasonable length, and must be closed.

INTERNAL IMPROVEMENT. A great meeting has been held at Mobile, having for its purpose a junction of the waters of the Tennessee and Alabama, by means of a

*Louisiana gave a *dead* vote against it.

canal, and to ask of congress the gift of 300,000 acres of land, to assist in the accomplishment of the praise-worthy project, which the meeting supposed will "provide for the general welfare," and "regulate commerce among the several states."

We heartly wish success to this contemplated improvement—but suppose that, if it depends upon the aid of the general government, it will be *nullificated*, and on several accounts, for the present. The right to assist by *subscriptions* of money cannot be less constitutional, than by gifts of land, equally the property of the nation.

PENNSYLVANIA. The Philadelphia Sentinel having given a table shewing the population of certain counties in Pennsylvania, says——

According to the table which we published yesterday, *twenty-five* counties in this state contain a population of 725,507, having increased within the last ten years 170,156. —In 1828, the taxables of the state, agreeably to the returns made to the legislature, amounted to 254,182. In the *twenty-five* counties above mentioned, there were, in 1828, 136,499 taxables, and in the *twenty-six* counties, the census of which has not yet been published, 117,683. Should the counties not heard from have increased in the same proportion as the others, the population of the state will be 1,351,000; which, at the ratio of 50,000, will entitle the state to *twenty-seven* members in the house of representatives of the United States. The number at present, is *twenty-six*.

It appears that the population of what may be called Philadelphia, amounts to 161,412—this includes the city, proper, the [incorporated], Northern Liberties, Kensington, Spring Garden, Southwark and Moyamensing. The whole county is thus shewn?

City.		
Cedar ward,	6,321	
Chesnut,	4,115	
Dock,	5,378	
High street,	4,446	
Locust,	7,117	
Lower Delaware,	6,863	
Middle,	3,632	
New market,	7,443	
North,	5,796	
North Mulberry,	5,804	
Pine,	5,540	
South,	3,467	
South Mulberry,	5,364	
Upper Delaware,	5,763	
Walnut,	3,428	80,477
Northern Liberties.		
1st Ward,	3,560	
2d "	3,115	
3d "	4,552	
4th "	3,187	
5th "	5,471	
6th "	4,946	
7th "	4,092	28,923
Spring Garden,		11,141
Southwark, east	10,361	
do. west,	10,385	20,746
Kensington,		13,326
Moyamensing,		6,822
Passyunk,		1,441
Blockley,		3,401
Bristol,		1,425
Byberry,		1,018
Frankford,		1,637
Germantown,		4,642
Kingsessing,		1,068
Lower Dublin,		2,705
Moreland,		418
Unincorporated Northern Liberties,		2,453
Oxford,		1,502
Penn township,		2,507
Roxborough,		3,334
Total amount,		188,986
Total amount deaf and dumb,		189
Total amount blind,		57
Aliens, (not naturalized,)		4,179

The city (proper) had 63,802 inhabitants in 1820, and the county 73,295 together 137,097—increase in 10 years 51,889.

WOOL. It is a matter of congratulation that the raising of sheep appears to be of increasing importance from the reward obtained. We are told by gentlemen conversant on the subject, that the demand for wool, and price for the article, is on the increase at home and abroad. In unison with this, the wages of the laboring woollen manufacturer in Europe are represented as better; and his business wears a prosperous appearance. Some lots of wool were lately sold in this village—4,000 weight Saxony, not entirely choice quality, at one dollar per pound; and 3,000 half blood, at 75 cents.

[*Poughkepsie N. Y. Telegraph.*

FOREIGN NEWS.

Copious files of foreign papers have been received at New York—those of London to the 23d November, and extensive selections from them are before us. The following will present a brief notice of the chief things mentioned.

GREAT BRITAIN AND IRELAND.

The king's speech, page 322, prepared us to expect interesting events from movements of the people, and we now hope that the work of reformation has commenced in earnest. The duke of Wellington, and his horde, who have so long *dragooned* the British nation, have been driven from their high places, by the force of public opinion, and the military has been subjected to the civil power. The duke had been publicly hooted at, when returning home from parliament, the first day of its sitting—a spirit of discontent, as is well shewn in the king's speech, had extensively spread itself among the people, and many acts of violence had been committed in various parts of the United Kingdom. Much distress prevailed, and the cry of "down with the ministers," &c. began to be heard.

The corporation of London had made preparations to give a grand entertainment to the king and queen, as customary at the commencement of a reign, on the 9th November. Anonymous letters and publications were issued, and persons threatened who should illuminate their houses, &c. The new lord mayor wrote to the ministers, that, if they accompanied the king, he thought their lives would be in danger, especially the duke of Wellington's. Shortly after the lord mayor announced that the procession and fete was stopped, &c. and much consternation began to prevail. All the troops in the metropolis were immediately in arms, the guard at the bank doubled; and the city filled with rumors and reports of the marching of soldiers, the discovery of conspiracies, &c. The citizens left their various occupations and filled the streets, to hear or discuss the news, and terror was depicted on many faces; and when the stock exchange opened, it appeared that the price of consols had fallen from 80 3-8 to 77 1-4! The measures taken by the police to prevent disturbances, added to the general excitement; but it so turned out, that the public peace was not disturbed by general acts of violence.

On the 15th Nov. the chancellor of the exchequer introduced the civil list to the consideration of the house of commons, and after an ardent debate, the question was taken—for the bill 201, against it and the ministers 233.* The result was hailed with loud cheers! On the 16th, and in consequence of this vote, the duke of Wellington formally notified the house of lords, and sir Robert Peel and others the house of commons, that they had resigned.

The following is a list of the new ministry, with their predecessors, in their respective offices, which is believed to be accurate.

Of the cabinet.		
	New ministry.	*Old ministry.*
First lord of the treasury	Earl Grey	D. of Wellington
Lord Chancellor	Lord Brougham†	Lord Lyndhurst
Chancellor of exchequer	Lord Althorp	Mr. Goulburn
Home secretary	Lord Melbourne	Sir Robert Peel
Foreign secretary	Lord Palmerston	Earl of Aberdeen

*This number would have been 242, had not 9 opposition members been accidentally shut out from the division. Actual majority against ministers 38.

†Late *Mr.* Brougham.

Colonial secretary	Lord Goderich	Sir Geo. Murray
First lord of admiralty	Sir J. R. G. Graham	Viscount Melville
President of the council	Marquis Lansdowne	Earl Bathurst
Lord privy seal	Lord Durham	Earl of Rosslyn
Master of mint and board of trade	Lord Auckland	Mr. Herries
Prest. of board of control	Mr. C. Grant	Ld. Ellenborough
Duchy of Lancaster	Lord Holland	Mr. Arbuthnot
Postmaster general	Duke of Richmond	D. of Manchester
Without office	Earl of Carlisle	
Not of the cabinet.		
Master gen. of ordnance	Sir W. Gordon	Vis'ct Beresford
Woods and forests	Hon. Agar Ellis	Viscount Lowther
Judge advocate	Mr. Robert Grant	Sir John Beckett
Treasurer of the navy and vice president of the board of trade	Mr. P. Thompson	Mr. Courtenay
Junior lords of admiralty	Sir T. M. Hardy Hon. G. H. L. Dundas Sir S. B. Pechell Hon. G. Barrington	
Junior lords of the treasury	Lord Nugent F. T. Baring, esq. R. V. Smith, esq. Hon. Geo. Ponsonby	
Joint secretaries to the treasury	Mr. Edward Ellis Mr. S. Rice	Mr. Dawson Mr. Planta
Attorney general	Mr. Denman	Sir J. Scarlett
Solicitor general	Mr. Horne	Sir E. B. Sugden
Un. sec. foreign affairs	Lord Howick	Lord Dunglass
Un. sec. home depart.	Hon. G. Lamb	
Commander-in chief	Lord Hill	
Paymaster of the forces	Lord John Russell	Mr. Calcraft
Sur. gen. of ordnance	Sir R. Spencer	
Viceroy of Ireland	Marquis of Anglesey	D. of Northum.
Chief sec. for Ireland	Hon. E. Stanley	Sir H. Hardinge
Chancellor of Ireland	Lord Plunkett	Sir A. Hart
Attor. gen. for Ireland	Pennefather, esq.	Mr. Joy
Royal household.		
Ld. steward of household	Marquis Wellesley	
Master of the horse	Earl of Albemarle	
Lord chamberlain	Duke of Devonshire	
Treas. of the household	Earl Jersey	
Master of K. Bk. hounds	Viscount Anson.	

It will be seen that the cabinet is made up of the whig party. It contains some of the best and ablest men in the United Kingdom.

The debates in parliament are very interesting, but it is not possible for us even to give a condensed view of them.

We have specimens of some of the handbills spread through London. The people were called to arms, and excited to take revenge, without ceremony! No less than 1,600 special constables were sworn in. The public, however, seemed disposed to accomplish a reformation without proceeding to extremities, and we heartily rejoice that they have, at least, partially effected it.

An order in council was issued on the 5th Nov. for opening the *West India ports* to American vessels. We shall give this order next week, with, perhaps, a part of the debate in the house of commons on the general subject.

The liberal presses of England are exulting at the downfall of Wellington. He will probably become exceedingly unpopular, divested of power to reward his friends or punish his enemies. A hireling press is no longer at the command of his minions.

The wretched people, in several of the counties, are firing the houses and barns of those who have threshing machines.

[☞It is the *agricultural* laborers who are now engaged in acts of violence, and they proceed to even greater lengths than ever those employed in the factories have gone. Let this be remembered by our "philosophers."]

When the letter of the lord mayor, addressed to the duke of Wellington, concerning the intended fete, and intimating that the duke's personal safety might be endangered, was read in the house of commons—*it was loudly cheered!* "Good God, sir! A sarcastic cheer!" exclaimed sir R. Peel, "and made, too, in the house of commons, on hearing that the lord mayor of London has communicated to the duke of Wellington that he had reason to believe that an attack would be made on his grace's life, as he accompanied his majesty to the civic festival!"

This may serve to shew the degree of bitterness that prevailed.

A disposition to interfere in the affairs of the continent, except in an amicable way, has been disavowed by the earl of Aberdeen.

The debates in the house of lords and of the commons, and especially the speeches of the duke of Wellington and sir Robert Peel, clearly shew that the visit of the king to the mayor and corporation of London, was put off, under a certain belief that a general attack was contemplated. They thought that an effectual resistance might have been made by the *military;* but to avoid bloodshed, and the horrors of a mob, they advised a postponement of the visit, &c. It seems to have been intended to extinguish all the lights in the streets, and horrible events were anticipated. The duke said that his *present* majesty was, doubtless, the most popular monarch that had ever reigned in England: he had said the same of his predecessor! Such are "scurvy politicians." Sir Robert Peel appears to have been exceedingly alarmed, though descended from one of the "lords of spinning jennies," as the lord of "Roanoke" would call him—*if* not one of the "Corinthian pillars of society."

FRANCE.

A decree of king Louis-Phillippe, dated November 3d, appoints M. Lafitte to be president of the council and minister of finance, in the place of baron Louis, resigned. The marshal marquis Maison* to be minister of foreign affairs, in the place of count Mole, resigned.—Count Montalivet to be minister of the interior, in the place of M. Guizot, resigned. M. Merilhou, to be minister of public instruction and ecclesiastical affairs, in the place of the duke de Broglie, resigned. The other gentlemen composing the council of ministers, are M. Dupont (d' l' Eure) minister of justice; marshal Gerard, minister of war; count Sebastiani, minister of marine.

The press of France has much freedom, but with less licentiousness than that of England or the United States. The merits of the new and old ministry are very freely discussed in the newspapers.

The late elections have resulted almost uniformly in favor of the king and the existing state of things. The fidelity of the national guard is unshaken. The cause of the late changes in the ministry does not seem understood—and would appear unimportant, as to general results. Lafayette appears to have approved of the proceedings, which, to us, is assurance of their fitness.

By a royal ordinance, a commission has been formed for settling the claims of the United States upon the French government, which have so long been urged by the American minister. The same commission will also consider the counter claims against America, and then form a basis for an equitable and final adjustment of each. The commissioners are, viscount Laine, president; Messrs. George Lafayette, Beslay, and Delessert, deputies; M. d'Andiffret, president of the court of accounts, and M. Pichon, councillor of state. [We have expected a proceeding like this from regenerated France. It could not have been hoped for under the late condition of things.]

M. Lafitte, now president of the council, &c. has been succeeded in his late place of president of the chamber of deputies, by M. Casimer Perrier.

The French funds are improving—the 5 per cents. were at 94. It seems manifest that the state of things in France was settling down into quietness; but the approaching trial of the ex-ministers may ruffle the temper of the people.

M. *Serrurier*, formerly minister to this country under Napoleon, has been re-appointed, and, with his family, was to sail from Havre on the 10th December, in the *Louis Philip*, for Philadelphia. M. *Lasteyrie*, a grandson of Lafayette, is attached to his legation.

By an ordinance of 8th October, the king granted an annual pension of 20,000 francs, ($4,000), to madame Ney.

NETHERLANDS.

Much American property was lost at Antwerp, because of the bombardment and conflagration of the city. It seems very much like an act of wantonness in cruelty,

*He declined the place, and it was given to gen. *Sebastiani*, who is succeeded in the marine department by the count *d'Agout*. *Soult*, duke of Dalmatia, succeeds marshal Gerard in the war department.

on the part of the royal commander in the citadel, who could have calculated only on the amount of *destruction* caused—not expecting to regain the city.*

The tendency of the people to a general insurrection in Holland, is spoken of.

A new envoy from Austria had arrived at the Hague, and conferences between the ministers of the different powers were immediately expected.

There has been a good deal of fighting in various parts of Belgium.

The provisional government has taken possession of the grand duchy of Luxemburg—the capital, however, remained in possession of the (German) federative garrison.

The national congress met at Brussels on the 10th Nov.—152 deputies present. The oldest member, Mr. Gendebren, took the chair. Many interesting proceedings were had.

The king has declared the southern part of the Netherlands in a state of blockade, to be enforced by a sufficient naval force.

The provisional government has ceased—the congress refused to give it a vote of thanks.

There are many reports as to the views of the people of Belgium, &c.

Brussels, Nov. 10.—MM. Bresson and Cartwright have arrived from London; they were presented to the provisional government, to whom they communicated the first resolutions of the ministers of the five great powers united in London—

That the congress of ambassadors united in London declared in their first sitting—

First—That Belgium is separated from Holland.

Second—That Belgium is to be an independent state.

Third—That the Belgians are to choose their future sovereign amongst the Nassau family; but their refusal shall not be an obstacle to the preservation of peace.

Fourth—That the envoy of the provisional government shall be admitted to the conferences.

Fifth—That a republican government shall be excluded from Belgium.

Bresson and Cartwright, it appears, were also charged to procure an armistice.

From the Courrier des Pays Bas.

Brussels, Nov. 14. The congress in its setting yesterday decided that, inasmuch as the late provisional government was dissolved, though re-constituted by the vote of the congress, there should be no address in answer to the opening speech. The congress then proceeded to discuss and settle the standing orders of the assembly. The president communicated the following documents, transmitted to the congress by the provisional government:

Protocol of the conference held at the foreign office, London, on November 4, 1830.

Present, the plenipotentiaries of Austria, France, Great Britain, Russia and Prussia.

His majesty, the king of the Netherlands, having invited the courts of Austria, France, Great Britain, Russia and Prussia as parties who signed the treaties of Paris and Vienna, by which the kingdom of the Netherlands was established, to consider in concert with his majesty upon the best means of putting an end to the disturbances which have broken out in his states; and the above named courts having, even previous to receiving this invitation, experienced a lively desire to arrest, as early as possible, disorder and blood-shed, have by their ambassadors and ministers accredited to the court of London, agreed upon the following resolutions:

1. According to section 4 of their protocol of the 15 h November, 1818, they have invited the ambassador of his majesty the king of the Netherlands, to join in their deliberations.

2. In order to accomplish their desire of stopping the effusion of blood, they are of opinion that an entire cessation of hostilities should take place on both sides.

The conditions of this armistice, which would in no wise prejudice the questions of which the five courts will have to facilitate the solution, should be as follows:

Hostilities shall completely cease on both sides.

The respective troops shall reciprocally retire within the line which, previous to the treaty of May 30, 1814, separated the possessions of the united provinces from those which were annexed to his territory, to form the kingdom of the Netherlands, by the aforesaid treaty of peace, and by these of Vienna and Paris in 1815.

The respective troops shall evacuate the places and territory they mutually occupy beyond the said line, within the space of ten days.

This armistice shall be proposed to the government of his majesty the king of the Netherlands through the medium of his ambassador present at these deliberations.

The terms of the same armistice shall be communicated in Belgium in the name of the five courts.

(Signed) ESTERHAZY,
TALLEYRAND,
ABERDEEN,
BULOW,
MATUSCHEWICH.

(A true copy), F. De Coppin.

Answer of the provisional government.

The provisional government of Belgium has had the honor of receiving the protocol of the conference held at the foreign office, London, on the 4th of November, 1830, and signed Esterhazy, Talleyrand, Aberdeen, Bulow and Matuschewich, in their capacities respectively of plenipotentiaries for Austria, France, Great Britain, Prussia and Russia.

The members of the provisional government, are willing to believe, that sentiments of sympathy for the sufferings of Belgium, have led to the truly philanthropic mission with which the plenipotentiaries of the five great powers have been charged.

Filled with this hope, the provisional government, wishing to reconcile the independence of the Belgian people with all respect for the rights of humanity, thank the five powers for the step they have taken to stop the effusion of blood, by an entire cessation of all hostilities which exist between Belgium and Holland.

Consequently, the government engages to give orders, and take measures—

1. That all hostilities against Holland shall cease on the part of the Belgians.

2. That the Belgian troops shall retire within the line which, previous to the treaty of Paris of the 30th of May, 1814, separated the provinces of the sovereign prince of the united provinces from those which were annexed to his territory, in order to form the kingdom of the Netherlands, by the aforesaid treaty of peace, and by those of Paris and Vienna, in the year 1815.

On this occasion, the provisional government of Belgium owes to good faith to observe, that it understands by this line the limits which, conformably to art. 2. of the fundamental law of the Netherlands, separated the northern from the southern provinces, comprising, in the latter, the left bank of the Scheldt.

3. That the Belgian troops shall evacuate the places and territory they occupy beyond the line above traced, within the period of ten days.

The whole subject to reciprocity on the part of Holland, and within the same period, as well by sea as by land.

Brussels, 10th November.

(Signed) DE POTTER,
FELIX DE MERODE,
CH. ROGIER,
AL. GENDEBIEN,
J. VANDERLINDEN,
F. DE COPPIN.

(A true copy) F. De Coppin.

*It is stated that indemnity will be demanded for damages suffered, by the English and American merchants, &c.

RUSSIA.

It appears by accounts from Moscow, that an epidemic disease, if not the *cholera morbus*, prevails in that city to such an alarming extent, that all the nobility and wealthy inhabitants have left for their country seats, and 50,000 persons of the working classes have emigrated. The shops are closed, and trade is in a state of complete stagnation. The city has been divided into 49 parts, which are surrounded by guards, to prevent communication between them. The mortality, however, at present, has not been very considerable.

The St. Petersburg Gazette publishes proposals for a reward of 25,000 rubles to any physician of Russia, Germany, Hungary, Italy, France, England, Sweden and Denmark, who shall produce the best treatise on the origin, nature, and proper treatment of the *cholera morbus*. "An Asiatic disease which has recently appeared in Europe, is producing fearful ravages in some of the Russian provinces—is daily spreading itself, and menacing all Europe."

Late accounts say—the disease prevalent in Russia is now believed not to be cholera morbus, but a species of plague. Exertions were making to prevent the disease from reaching St. Petersburg, and the inhabitants of that city were laying in provisions for six months, apprehending that the stoppage of communications would last for some time.

SPAIN.

We have some details of the proceedings of Mina, and his associates in Spain. They had had several pretty sharp affairs with the troops of the king; but the force of the latter appears to have been too great for the "patriots." Their cause, however, was not lost, or hopeless. Valdez seems to have behaved gallantly, but was borne down by numbers. He had returned to France.

Accounts from Madrid of 12th Oct. announce the birth of an *infanta*, who was baptized by the name of *Maria Isabella Louisa*. By a decree of 13th, the king orders all honors usually paid to the *prince of Asturias* should be paid to the *infanta* as the legitimate successor of the crown, "so long as God shall not give him a male child."

MISCELLANEOUS.

An insurrection has broken out at Inspruck, the capital of Tyrol—and several regiments of the line had been ordered thither.

The bank of Lisbon has refused a small loan to Don Miguel. The usurper is yet filling his dungeons. A Portuguese prison is the worst in the world.

The king of Naples died on the 8th November, and was succeeded by his son Ferdinand, aged 21 years.

LATER NEWS

From London papers to and of the 30th November.

It would now seem that Europe was about to be engaged in a *general war!* Indeed, it is said, that Russia has actually declared war against France. This, however, is thought premature—though there are many and strong indications that such an event will take place.

Various letters from Germany say that Russia is collecting a body of 200,000 men, with 400 pieces of cannon, in the frontiers of Poland, under the command of count Diebitsch; and that, after reviewing his troops, he would proceed to Berlin, on an extraordinary mission. All the Russian troops in the interior were in motion, and gathering at the garrison towns.

It now appears that Nicholas, in acknowledging Louis-Philip, had the "insolence" as a French writer calls it, to say, that he should not inquire into the motives that led the latter to accept the crown—and hence there has only been a cold civility between the two courts. France is prepared for a mighty contest, and would have a *regular* army of about 300,000 men on her frontiers, besides the national guards, in the present month. The king and his government are increasing in popularity. Marshal Soult labors night and day in arranging military matters.

Austria has a powerful force in Italy—it would seem as if a triple alliance, Russia, Austria and Prussia, *may* be formed against France; and highly probable that the latter will be supported by Great Britain. The late change in the British ministry, it is thought, will tend to the latter result, the government now being in the hands of the whig or liberal party.

The London Globe of the 30th, believes that much of the alleged French apprehension of sinister holy alliance designs, was evidently formed on the supposed inclination of the late English administration in that direction, and that the change in the British ministry will gradually remove it.

Many letters from Paris speak of great military preparations. It is certain that war is expected. We cannot give the various accounts. Three camps of 100,000 men each, are to be formed at Lille, Metz and Strasburg. All the officers of every grade, at Paris, have been ordered to their respective posts.

The new government of Belgium was using every means in possession to organize a large military force—an army of 150,000 men is aimed at. A decree has passed declaring all the members of the Orange family forever excluded from the throne of Belgium.

An armistice has been announced between Holland and Belgium—the result of a conference of the ministers of the different courts at London.

The breaking of threshing machines and burning of houses, was going on in twelve or fourteen English counties. Vigorous measures had been adopted for the restoration of order.

During the 8th of November and the night that followed it, London was in a state of high excitement—many severe affairs took place between the police and mobs of the people. It does not appear that any persons were killed—but large numbers were knocked down, bruised and maimed. The details are of much length, for the London editors delight to relate such things. It was well that the *military*, though kept in readiness, was not called into the contest; in that case, we should probably have had a second edition of the events in Paris. John Bull has a terrible notion of being fired upon by the soldiers whom he pays—though he does not much mind being knocked down in a *civil* way, both which are much to his credit.

Mr. Denison has been elected the member from Liverpool in place of Mr. Huskisson. The queen was to hold her first drawing room on the 24th Feb., *when all the ladies who shall attend will be expected to appear in dresses of British manufacture.* She is a warm friend of the *British* system, and will accomplish mighty benefits in favor of the laboring classes.

Mr. Stephenson's locomotive car has travelled from Liverpool to Manchester in one hour, including two minutes lost in oiling the machinery, about mid-way.

The British stocks had risen again to 83¼, but receded to 82 3-8.

LATER YET.

Another arrival brings London papers of the 1st. Dec. They contain many letters and rumors from the continent. It is stated that the holy alliance *will* interfere in the affairs of the Netherlands, because of the vote in the Belgic congress to exclude the house of Orange from the throne, or as having authority over that country. It is added, that the Dutch have broken the armistice—that Prussian troops were marching on Holland—100,000 men being ready for that purpose! An express from Paris announces the determination to make an extraordinary levy of 80,000 men, in addition to the 148,000 already called out, &c.

The London Morning Herald of December 1st, states, editorially, without qualification, that "*the emperor of Russia has already published a sort of manifesto, in which he states that, besides forcing upon the free people of Belgium a dynasty which they detest, he is also concerned for the honor and authority of the French government, and would save it from measures which the impetuosity of the French people might oblige it to adopt.*"

"We stated yesterday the formation of camps upon the Rhine, and at the foot of the Pyrennees; it is now added that orders have been given to provision the fortresses throughout France, for all governors to repair to their commands, and all officers peremptorily to join their standards; and, if we interpret rightly a paragraph in one of the papers, for the fortification of the heights of Paris, so as to make that capital a citadel for liberty in the last extremity."

It seems then, that there will be a great war in Europe—but the information yet obtained is rather made up of opinions and speculations, growing out of the mighty preparations going on, than of things which have really happened. Peace may yet be preserved.

France and England appears to have a good understanding. If they shall act together, the "holy alliance" will fail of its purposes.

"The signs of the times" are awful—we pray that we may escape the whirlwind. It is now exceedingly important that we should have a first rate *business-man* at St. Petersburg, and we hope that Mr. Randolph will be promptly retired.

FOREIGN DOCUMENTS.

Speech of the king of England at the opening of parliament.

My lords and gentlemen: It is with the most lively satisfaction that I see you assembled around me, to aid me by your counsels.

Since the dissolution of the last parliament, events of the deepest interest have occurred on the European continent.

The elder branch of the house of Bourbon has ceased to reign in France, and the duke of Orleans has been called to the throne, with the title of king of the French.

Having received from the new sovereign, assurances of his ardent desire to cultivate the most friendly relations, and to maintain inviolate the engagements made with this country, I have not hesitated to continue the diplomatic relations and the friendship which existed with the preceding government.

I have seen with profound regret the state of affairs in the Low Countries. I deplore that the enlightened administration of king William has not been able to preserve the states from revolt; and that his wise resolution to submit the desires and complaints of his people to the deliberation of a special session of the states general, has not brought about any satisfactory results.

I shall exert myself, in concert with my allies, to re-establish tranquillity, by all means which are compatible with the good state of the Netherlands government, and the society of other governments.

Symptoms of tumult and disorder have created anxiety in various parts of Europe: but assurances which I continue to receive of the amicable disposition of foreign courts, give me just ground to hope that my people will continue to enjoy the blessings of peace.

Penetrated at all times with the necessity of preserving inviolate the engagements which have been made in the name of the nation, I am convinced that my determination to maintain, in connexion with my allies, the treaties upon which are founded the general system of Europe, will appear to you the best guarantee for the maintenance of the peace of the world.

Up to the present time I have not accredited the ambassador of the court of Lisbon; but the Portuguese government having resolved to satisfy the claims of justice and humanity by a liberal and general amnesty, I think the time has come to re-establish, in behalf of my people, the friendly relations which for so long a time have existed between the two nations.

My profound solicitude for the welfare of my subjects, induces me to recommend to the immediate attention of parliament, such arrangements as will secure the exercise of the royal authority, if it should please God to terminate my life before any successor shall have arrived at mature age.

I shall be most ready to concur with you in all the measures which may appear to you proper, for preserving inviolate the dignity and stability of the crown, and to assure more and more the guarantees of civil and religious liberty to my people.

Gentlemen of the house of commons—I have ordered to be laid before you, all the statements of expenditures for the present year, which the preceding parliament was not able to arrange before its separation. The estimates for the coming year will be made in conformity to the principles of rigid economy, which I have determined to carry through all the branches of the public service.

My lords and gentlewen: I am deeply afflicted that in some districts of the country, my subjects have suffered in their property from combinations having for their object the destruction of machines, and that heavy losses have been sustained from the criminal acts of incendiaries.

I have seen, not without chagrin and indignation, the perfidious attempts which have been made, to spread a spirit of discontent and dissatisfaction among my people, and to interrapt the concord which has happily prevailed through the different parts of my dominions, the union of which is essential to the preservation of the general strength and happiness.

The great effort of my life will be to preserve the blessings which my people possess, and transmit them unimpaired to my posterity; and I have the more animating hope of being able to discharge the sacred duties which have been confided to me, from the wisdom and affection of parliament and the support of all my subjects.

I am determined to employ, to the full extent of my power, all the means which the constitution and laws have placed in my hands, for the punishment of sedition, and the prompt suppression of disorder and revolt.

Amidst all the difficulties of the present crisis, I receive with high satisfaction the expression of loyalty and attachment from a vast majority of my subjects. I am sure that they will duly appreciate the great advantages of this happy form of government, under which, with the favor of Divine Providence, this country has enjoyed during a long series of years, internal peace, commercial prosperity, real liberty, in short, every thing which constitutes public welfare, beyond any other nation of the world.

DUTCH PROCLAMATIONS.

Antwerp, Oct. 16—The prince of Orange has published the following proclamation:

Belgians: Since my proclamation of 5th I have studied your position carefully, I comprehend it, and recognize you as an independent nation: this is saying to you that even in the provinces where I exercise great control, I will in no respect oppose the rights of the citizens. Choose freely, and in the same manner as your fellow citizens in other provinces, deputies to the national congress about to assemble; and go there to discuss the interest of your country. I also in the provinces which I govern will place myself at the head of the movement, which is leading you on to a state of things new and stable, of which the nationality will constitute the strength. This is the language of him who spilt his blood for the independence of your country, and who desires to associate himself to your efforts to establish your political nationality.

WILLIAM, *prince of Orange.*

Given at Antwerp, Oct. 16, 1830.

The Hague, Oct. 20. We, William, &c.—Whereas, by our resolve of the 4th of this month, we gave to our beloved son the temporary government, in our name, of the southern provinces, where lawful authority was recognised—and perceiving by different acts of the government, that all lawful authority is at an end in those provinces, *have resolved:*—Art. 1. The commission given to our son, the prince of Orange, is revoked. Art. 2. This government, in conformity with the fundamental law, shall henceforth be confined to the provinces of the north, and the grand duchy of Luxembourg, until some decision shall be taken in concert with our allies in respect of the southern provinces. Art. 3. The fortresses of Antwerp, Maestricht and Venloo, shall remain occupied by our troops, and be declared in a state of siege whenever their commandants shall judge it necessary.

On the 25th of October, the prince of Orange published the following proclamation:—

Belgians—I have endeavored to render you every service in my power, without being able to attain the great object of my sincere efforts—the pacification of your fine provinces. You are about to deliberate upon the general interests of the country in the national congress which is on the point of meeting. I feel I have in every thing dependent upon me, up to the present moment, fulfilling all my duties towards you, and now about to perform another and most painful duty. I am going to retire to a distance, and wait the issue of the political proceedings of Belgium. But, whether far off or near, my thoughts remain with you, and I shall ever endeavor to contribute to your real welfare. Inhabitants of Antwerp! you have during my stay among you, given me so many proofs of your attachment, that I hope to return in better times, to concur with you in promoting the prosperity of your admirable city.

(Signed) "WILLIAM, *prince of Orange.*"

[The prince retired to London, and Antwerp soon after threw off the regal power, as detailed in our last paper.]

DUTCH DECREES.

The Hague, Oct. 20.—*High and mighty lords*—By the proclamation of our beloved son of 16th inst. published at Antwerp on the 16th, of which the motives are

little understood by us, and of which we can appreciate the consequences, it appears beyond doubt that all acknowledgment of constitutional authority is at an end in the southern provinces. In this state of things, our care is to be given to the faithful provinces of the north; and not only are all means and dispositions to be used for their interest; but all the measures of constitutional authority upon this principle: we trust you will treat all matters in the same way, and that henceforth your high mightinesses will only consider yourselves as representatives of the northern provinces, until it shall be determined in accordance with our allies, as to the fate of the southern provinces. (Signed) WILLIAM.

Hague, Oct. 24. The following royal decrees have been issued:—

We, William, etc.

Having revised our decree of the 14th inst. No. 30, conferring upon our well beloved son, the prince of Orange, temporary authority over all the southern provinces, where the legal power is acknowledged;

Whereas by the different acts of this authority, it appears that the acknowledgment of the legal power has entirely ceased in the southern provinces;

We have decreed, and do decree,

Art. 1. The authority conferred by our decree of the 14th inst. No. 30, on our well beloved son, the prince of Orange, has ceased.

Art. 2. Our government, conformably to the fundamental law, shall henceforth be confined to the northern province, and to the grand duchy of Luxembourg; and this, until a further decision shall have been formed with regard to the southern provinces, in concert with our allies.

Art. 3. The fortresses of Antwerp, Maestricht and Venlno, shall nevertheless continue to be occupied by our troops, and as long as this shall not have taken place, they shall be put into a state of siege, as soon as our commanders-in-chief may deem it necessary.

Copies of these presents shall be transmitted to our well beloved son, the prince of Orange, to our well beloved son, prince Frederick of the Netherlands, admiral and colonel general, to the heads of the departments, to the council of state, and to the chamber general of accounts for information and notice. Given at the Hague, Oct. 20, 1830. WILLIAM.

KING'S SPEECH.

The Hague, Oct. 19.—Speech of the king of the Netherlands on the opening of the states general:

Noble and mighty lords—The zeal which distinguished your deliberations during the last extraordinary session of the states general; the wisdom, the prudence and the patriotism, of which you gave proof on that occasion, have not been followed by the result which I hoped for, and had reason to expect, particularly after the good understanding which had manifested itself between the sovereign and the representatives of the nation,—that an immediate and constitutional examination of the desires and complaints expressed by the people, would exercise all the moral influence capable of re-establishing every where tranquillity and repose. My expectations have been deplorably deceived. Until that time, obedience to the laws and the support of their forms had always been the first object of my solicitude, and I was disposed to listen favorably to their desires and complaints. But at last the impetuous passions of a blind and excited multitude, were controlled by no reflection; they broke out into open rebellion, and the efforts of the arms of the state, to second the hopes of well intentioned citizens, were insufficient to put an end to the revolt. Even before their arrival at Brussels, the military forces destined to protect the inhabitants were assailed, although they had received a solemn assurance of indulgence and peace. In that city, they met with the most murderous resistance. Since then, the opposition armed against the legitimate government, has been constantly increasing in the southern provinces; and its progress has been so rapid and so alarming, that in order to defend the faithful provinces of the Low Countries, and to protect their commerce, I have taken the necessary measures as regards both the army and navy. I have put into motion (*mobilise*) a part of the national guard; I have proposed a *levee en masse*, and I have called out armed volunteers from among the inhabitants of those countries. The enthusiasm with which this appeal was received, and the new marks of attachment to my family which were given me on that occasion, have in some measure soothed the grief with which my heart was afflicted; they have proved that a handful of rebels was not sufficient to detach so interesting and favored a population from a government under which it had attained to a degree of wealth and prosperity before unknown to it, and under which it enjoyed the most entire protection in its public and private rights, and in its political, civil and religious liberties. Hoping that the greater part of the population would, after mature reflection, desire the return of these advantages, I have determined to invest my beloved son, the prince of Orange, with the temporary government of that part of the southern provinces which have remained faithful and to confide to him the care of re-establishing, if possible, by means of persuasion, legal order in the rebel provinces. Thus by a division of the administration I have prepared, as much as depended on me, the development of the opinion expressed by the states general, at their last extraordinary session; and by these means I have been able to give my attention more exclusively to the northern provinces, and to employ their forces and their resources for their own advantage and protection, and at the same time I have given to all my subjects, and to all Europe, a proof that nothing had been neglected that might recall the insurgents to a sentiment of their duty. Satisfied by the profound conviction of having kept the solemn oath which I took, to respect the fundamental laws, and of having labored without ceasing to augment the prosperity of the people of the Low Countries, I wait with calmness the result of the measures, and the issue of the important deliberations, in which the sovereigns, my allies, who have guaranteed the existence of this kingdom, are now engaged upon the events of which the southern provinces are at present the theatre.—In general, the army by its courage and its moderation, has fulfilled all my expectations. I have, however, to regret, that latterly, so large a portion of my troops have allowed themselves to be so far seduced by erroneous opinions and fallacious promises, as to abjure their oaths, forget their duties and abandon their colors. These circumstances, which contrast so entirely with the state of real peace in which the kingdom at this moment is with Europe, have obliged me to open the present session at the Hague. I am happy to be able to inform you at this time that I continue to receive from foreign powers the assurance of the sincere interest they take in the misfortunes which afflict our country, as also of their friendly dispositions towards my government. It is not less agreeable to me to inform your high mightinesses, that the courage and perseverance of our army have put an end to the war which desolated the island of Java, and that from the latest advices, the rest of our possessions beyond sea are in the enjoyment of the utmost tranquillity. The continual rains have been generally injurious to our harvests: I have taken all the precautions in my power to provide for the wants of the poorer classes during the approaching winter. [Here follow some remarks respecting financial arrangements, &c.] Energetic means of precaution will be requsite to prevent the acts and menaces of the evil disposed from troubling the public peace of, and extending the revolt to, the loyal provinces. I invoke to this end the co-operation of your lordships; meantime the urgency of affairs has compelled me to take some necessary precautions respecting travellers and strangers.

High and mighty lords!—The rapid course of the events which have agitated this kingdom, may exert an influence upon many of our institutions.—The issue of these events cannot yet be foreseen, and the unexpected intelligence which I have received to-day from Antwerp, [the proclamation of 16th, of the prince of Orange, acknowledged the independence of Belgium, is here alluded to], is a new proof of the daily progress in the real separation of the two portions of the kingdom.

I await with confidence what is yet to come, for my conscience is at ease. I rely upon your concurrence, upon that of the faithful provinces of the north, and upon the aid of my allies, who will maintain the political system of Europe; and I am at the head of a nation whose religious sentiments are the best guarantee of the Divine protection.

INTERNAL IMPROVEMENTS.

The following articles, copied from the "National Intelligencer," are pungent, yet courteous and respectful, though opposed to a new policy that seems about to be adopted, if not already determined. We think that the "general welfare" is as much promoted by international communications, as by fortifications and dry docks; and that the constitution equally contemplates all such things. There is no use in ships when built, if they cannot be defended, or kept ready for service; so there is no use for a mighty population in the interior, if its force cannot be brought to the sea-board, in cases of emergency. To meet the case at once,—what would have been the fate of New Orleans, on the 8th January, 1815, but because of aid received *down* the Mississippi? It must have fallen—AND WHAT THEN? May not "snags and sawyers," which endanger or delay the navigation of the Mississippi, be removed? Well, that river is a *national* concern! But why more so, than the Baltimore and Ohio rail road, for an example—by which, (had it been made), a body of 1,000 men, because of the greater density of population, might have been transferred from Baltimore to New Orleans, in less time than they could have been gathered and *marched* from Tennessee. According to the old *wisdom* of Spain, "God Almighty" has designed that the Red River shall be obstructed by a "raft"—it is not *sinful* to remove it, we suppose, because that the work is heartily proceeding, under care of the president. The "raft" is *local*—so are the Alleghanies! By what sort of logic is it, that we may rightfully pass the one and not the other, in the most prompt and convenient manner? The "raft" is, in its principle, as much a *national* barrier as the Alleghanies. What is *national*? Shall we so call fort Calhoun, or a dry dock, at Norfolk or Charlestown, while declaring that *local* which enables us to place a garrison, (and supply it), in fort Calhoun, or to defend the ships while in "dry dock," at the places named? There is, and must needs be, a *discretion* in all such subjects—and no *rule* can be applied to them, except that of the council of Castile, which determined, that "if God Almighty had intended a certain river to be navigable, he would have made it so, himself!"—a doctrine that would forbid us the use of medicine when sick, and break up the medical faculty—at once.

One of the main objections taken by the present administration to the appropriation of money for purposes of internal improvement, is, its liability to abuse by profligate expenditure. To this objection it might be a sufficient answer to quote the language of the late message of the president, in reply to a similar objection anticipated to the project for distributing the surplus revenue among the several states. "We cannot assent to the justness of the apprehension that the establishment of the proposed system would tend to the encouragement of *improvident legislation of the character supposed*. Whatever the proper authority, in the exercise of constitutional power, shall, at any time, hereafter, decide to be for the general good, will, in that, as in other respects, deserve and receive the acquiescence and support of the whole country; and we have ample security that *every abuse of power* in that regard, by the agents of the people, *will receive a speedy and effectual corrective at their hands.*" In this language, applied to the untried project favored by the message, as a substitute for internal improvement, we find a decisive answer to that other part of the message, in which liability to abuse by improvident legislation is made an argument against the exercise of the power of appropriating money for purposes of internal improvement. This is one of the cases already alluded to, in which one passage of the message is completely neutralized by another passage.

Why should expenditures of money for internal improvement be more liable to *abuse* than other expenditures? For the life of us we cannot conjecture. Why more than the expenditures for erecting fortifications, for building ships, for supplying the army and navy with provisions, or for carrying the mail? The expenditures for *each* of these objects has been, during the two last ten years, much greater, every year, than for objects of internal improvements. Why have we not been deterred from these expenditures by an alarm of prodigal expenditures? Why are they still continued and encouraged? Fortifications stand upon a footing even less eligible than national roads and canals. They are erected to guard against the contingency of war, (which we agree *ought* to be guarded against, but) which may never occur. Roads are constructed and streams made navigable to conquer positive obstacles to intercourse, which are evils of every day, and universally seen, felt, and acknowledged.

The message informs us that the great amount of five millions of dollars has already been expended upon objects of internal improvement. *How much has been spent upon fortifications?* This comparison is suggested by the fact, which we derive from the report from the engineer department, that the expenditure for the last year (ending Dec. 30) for internal improvements was less than 690,000 dollars; whilst the expenditure for fortifications during the same period was 982,000 dollars. One of these fortifications alone has already cost more than a million and a half of dollars, and, before it is finished, will probably cost as much more as it has already done. What work of internal improvement has been aided by the general government to a fourth of the amount, if we except the Cumberland road? And why should all the money of the country be swamped at the mouths of our bays and rivers, to the exclusion of the interior channels of intercourse from any participation in the paternal kindness of the government? Answer us that.

We had no adequate conception, before reading the document accompanying the report of the secretary of the navy, of the extent of the works going on at the sites of the projected dry docks at Boston and Norfolk. There has been expended on the dock at Boston, up to the 31st October, for materials, $60,221 28, and for labor $71,497 34, making the sum of $131,718 62, disbursed since November, 1829; add to which $111,853 94 2-3 for materials, and $138,551 53½ for labor, previously expended, making the total amount of disbursements on this dock, from its commencement, $382,104 10. The amount estimated as necessary to complete it, is $118,000.

On the dock at Norfolk, there has been expended in the past year, up to the 31st ult. for materials, $109,802 15; for labor $80,819 17, making $190,621 32 disbursed during the past year; add to which $62,763 82 for materials, and $117,428 92 for labor, previously expended, making the total amount of disbursements on this dock, from its commencement, $370,814 06. It is supposed that this dock will be completed during the year 1832.

Here is an expenditure of three or four hundred thousand dollars each for two *dry docks*, by the same authority which would consider it lavish prodigality to expend a tenth part of the amount on a *canal lock*. It is owing to the perverseness of our minds, we suppose, that we cannot distinguish between the *constitutionality* of dry docks and canal locks. It would make an excellent subject for a disquisition, by one of the Richmond Enquirer's correspondents. He might defy any one to "put his finger on the clause of the constitution" which authorises even the erection of dry docks. "Dock yards," it is true, are recognized by the constitution—but a dock yard is not a dry dock. At least that position is quite as clear as that other proposition maintained by certain gentlemen learned in the law, that *post roads* are not roads, but merely designations of routes.

TWENTY-FIRST CONGRESS—2d SESSION.

SENATE.

December, 23. Mr. *Hayne*, of S. C. appeared, and took his seat this day. After attention to some minor business—

The senate at 12 o'clock, again resolved itself into a court of impeachment. So soon as the respective parties had taken their places, Luke Edward Lawless was called, and his cross examination resumed by Mr. Meredith. We shall now revert to the proceedings of yesterday, and sketch the

Testimony of Mr. Lawless.

Mr. *Richmann*, on Mr. Lawless' being sworn, requested the witness to detail to the court the facts of the case from the earliest stage, so far as his memory served him.

Mr. *Lawless* then proceeded, to the following purport:

Among the land claims submitted to the district court of the United States for the district of Missouri, under the act of congress of the 26th May, 1824, was that of Antoine Soulard, for the confirmation of a grant made to him by the government of Upper Louisiana of 10,000 arpents of land.

The cause was argued by the witness (Mr. L.) on behalf of the claimant, on a general demurrer filed by the district attorney, at the first session of the court held in November 1824, the substance of the witness's argument was afterwards printed and published in pamphlet form, and a copy of it was, at the request of judge Peck, handed to him, and was, as he himself stated to the witness, more than once read to him. After the argument on the demurrer was concluded, the demurrer was, by consent, withdrawn by the district attorney of the United States, and an answer filed to the petition; an issue of fact was then directed by the judge, to try whether such concession was made to Antoine Soulard, as in the petition was alleged. This issue was found for the petitioner, and the cause was then set down for hearing on the pleadings, proof, and general merits.

In March, 1825, the case was finally heard, and, on that occasion, the witness (Mr. L.) made another argument, more elaborate and developed, than the first, on behalf of the petitioners. The court took the case under advisement, and adjourned to November 1825. Shortly after the hearing of the cause, the witness left the state of Missouri, and did not return until the month of July of the same year, and again left the state in September, and did not return until the beginning of December following. On his return, the witness was informed, that, at the November session preceding, the court had delivered its opinion adverse to the claim of the petitioner, and had continued the case until the fourth Monday of December, in order that the witness, who was leading counsel, should be present when the record was made up, and the final degree regularly entered, on the fourth Monday of December; the final decree was accordingly entered; an appeal prayed and granted; an appeal bond approved, and the case then removed from judge Peck's jurisdiction to that of the supreme court of the United States, where it now is under consideration. The witness heard no more of judge Peck's proceedings or opinions in the matter, until the 30th March, 1826, when the witness, for the first time, saw in the *Missouri Republican*, a newspaper printed at St. Louis, an article headed "Peck Judge," purporting to be an opinion of the court, or argument of judge Peck in support and justification of the final decree, pronounced by him, as before stated, and entered on the record against the petitioners in the case of James G. Soulard and others *vs.* the United States. On reading the argument or opinion; the witness thought that he discovered in it several erroneous positions, in fact and in doctrine, which were calculated to produce an injurious effect on public opinion, not only as respected the claim in question, but all the other claims depending or founded on incomplete French or Spanish titles. The witness found that this opinion had produced a great sensation amongst those of his clients and others interested in the unconfirmed land claims, and had much diminished their hope of having them confirmed. The opinion seemed calculated to effect a depreciation of the value of unconfirmed land, and to expose the proprietors of those claims to the danger of becoming the prey of speculators, who might then avail themselves of their alarm. The witness, too, when he examined the argument, found, that in the very outset of it, the judge by no means advanced his propositions with confidence, but, on the contrary, treated the subject under discussion as new to him—full of doubt and difficulty, and as an labyrinth through which he wandered without a light or a clue to guide him: that on the conclusion of the opinion the judge seemed to invite further discussion. The witness considering all this—and further, believing that not only in his character of counsel, but also in that of a private citizen, he had an undoubted right to point out, through the medium of a public journal, the errors which he saw, or believed that he saw, in the argument of judge Peck, took up his pen and wrote the article signed "A Citizen," which was, at his request, published in the *St. Louis Enquirer*, of the 8th of April, 1826.

Some days after the article signed "A Citizen" was published, judge Peck held a court under the act of 1824. The witness appeared in his place as counsel at the sitting of the court. The judge, soon after the court was opened, pulled a newspaper out of his pocket, and with some emotion, as it appeared to the witness, stated that it was the *Missouri Advocate and St. Louis Enquirer*—and, addressing himself either to the district attorney, or generally to the persons present, (the witness was not certain to which), demanded if any body could inform him who was the editor of that paper? The witness supposed, from judge Peck's manner, that the article signed "A Citizen," in that paper, was the object he had in view, and therefore wishing to facilitate as much as possible any proceeding with reference to it, he stated that he knew who was the editor: that one Stephen W. Foreman, to the best of his belief edited the Missouri Advocate and St. Louis Enquirer. Judge Peck then proposed that the witness should make an affidavit of the fact, which he accordingly did, and the judge thereupon instantly dictated to his clerk a rule on Foreman, to show cause, on the next morning, why he should not be attached for publishing the article signed "A Citizen."

The order was served on Foreman, who appeared on the next morning before judge Peck, attended by the witness as his counsel. The witness, as author of the article, felt it his duty to act voluntarily as counsel for the editor, whom he strenuously urged to avail himself of the occasion to vindicate the liberty of the press, and rather to submit to any punishment that judge Peck should inflict upon him, than surrender his right to what the witness deemed the exercise of usurped power.

The witness defended the editor on all the grounds, and by all the arguments and authorities, that suggested themselves. He contended that the article signed "A Citizen" was true intrinsically and in substance—was decorous and respectful in form, and indicated no intention whatever, such as the rule attributed to it. The witness also declared that no contempt was ever intended to be committed by it. In demonstrating the truth of the article, the witness compared it with the opinion published in the Republican; and, so far as the humble abilities of the witness enabled him, vindicated the article on the same grounds (with one or two obvious exceptions) taken by the hon. manager who opened the impeachment. The witness then contended that, admitting the article to be as charged in the rule, a false statement tending to bring odium on the court—admitting it to be a malicious libel from beginning to end, the court had no jurisdiction of it as a contempt; that it was punishable only as an ordinary offence, for which the editor should be indicted and tried by a jury of his fellow citizens. The witness sustained these positions by all the arguments and authorities that occurred to him, and was followed by Mr. Sueer, who also volunteered his services in favor of the editor. After the witness had concluded his argument, he retired from the court; and when he returned he found judge Peck about to make the rule absolute against the editor. The witness then assented to the editor's naming to the court the author of the article, which was done by the editor, who, after answering certain interrogatories put to him by judge Peck, was discharged. The witness was induced to assent to his being delivered up as the author by the consideration that judge Peck manifestly pointed to the witness, during his defence of the editor, as the author of the article, and seemed to address to him as author, and not as counsel, the acrimonious and impassioned observations which he thought proper from time to time to make use of. The witness also was of opinion that inasmuch as not only the liberty of the press, but divers other rights not much less precious and important, would be violated by this judicial proceeding, directed against the witness, and therefore the more willingly presented himself to perform what he deemed a sacred duty to himself and his fellow citizens.

The rule against the editor having been discharged, a rule was then made upon the witness, ordering him to show cause forthwith why an attachment should not issue against him for the false and malicious statements con-

tained in the article, and also why he should not be suspended from practice in judge Peck's court, as an attorney and counsellor therein. To the terms and tone of this rule, the witness begged leave to refer the court to the rule itself, as already given in evidence. For this rule the witness appeared by his counsel, who, proceeding to defend him upon the truth and intrinsic merits of the article, when he was stopped by judge Peck, who intimated that no argument or observation would be permitted by him on that part of the subject, inasmuch as he, judge Peck, on the argument of the rule against the editor, already decided that the article was untrue and malicious. The counsel for the witness then argued against the rule on the following legal grounds, to wit:—First, that supposing the article false and malicious, and every thing that it was by the rule described to be in a moral point of view, it was not legally a contempt of court to be punished by the summary exercise of judge Peck's judicial power, but was at most but a libel to be prosecuted and punished in the ordinary way. 2nd. That supposing the article to be a contempt, the judge had no right or legal authority to punish the witness by suspending him from his practice and function as attorney and counsellor of his court. Those grounds of defence were argued elaborately, and sustained by all the reason and authorities which suggested themselves to witness's counsel—they were, however, urged in vain. Judge Peck overruled them all, and made the rule for the attachment absolute against the witness. On making the rule absolute, judge Peck thought proper to enter into an examination or argument on the merits of the article, and for that purpose had it read to him paragraph by paragraph, and commented at large on each of them. In the course of his remarks, judge Peck, in an impassioned tone, and with much vehemence of manner, indulged in the use of various epithets which the witness understood as directed against him personally, and which he felt to be insulting and offensive to him as a man and a gentleman. The witness listened for about half an hour to this harrangue, which seemed to increase in virulence as it proceeded. At length, fearing that he might, if he remained any longer under the excitement of judge Peck's language; be betrayed into some expression, or even gesture, that might be seized upon as a new pretext for punishing him for contempt, the witness rose and left the court. Before he did so; he asked a gentleman of the bar, who was seated on his right, (Henry S. Guyer) whether he considered the act of the witness in leaving the court while the judge was so speaking, could be deemed contemptuous or improper; to which Mr. Guyer replied that he saw nothing improper in his leaving the court under such circumstances and that he did not think that he was under any obligations to remain there to hear himself abused.

From judge Peck's court the witness went to the circuit court of the county of St. Louis, which was then in session and before which a cause was on trial of considerable importance, (some twenty negro slaves depending on the final decision of it) and in which the witness was leading counsel for the defendant, Mr. Peter Chowteau sen., of St. Louis.

The witness remained in the circuit court for about two hours, and until he was notified by the marshal that an attachment had been issued against him by judge Peck, and that his presence was forthwith required in the district court of the United States.

The witness on presenting himself to judge Peck, was informed that as he was now in custody under the attachment, he, the witness, had a right to require that interrogatories should be put to him for the purpose, as witness understood, of enabling him, the witness, to purge himself of a contempt. To which intimation the witness replied that he did not require any interrogatories to be propounded to him, and that if they were so propounded, he would not answer them. The judge then dictated an order for the commitment of the witness to prison for the space of twenty-four hours, and that he should be suspended from practising as an attorney or counsellor at law in his court for eighteen calendar months from that day. The witness for the precise terms of this, as well as all the other rules and orders made by judge Peck begged leave to refer the court to the rules themselves as given in evidence. A copy of the order of commitment having been handed to the marshal, the witness was forthwith conducted to the common jail of the county of St. Louis, and there locked up in a grated and empty room, in which felons and malefactors are frequently incarcerated. Two gentlemen of St. Louis actuated by a friendly feeling, accompanied the witness to the jail; and were locked up along with him. The witness after some time requested the deputy jailor to shew him the order of commitment, and having examined it, determined on addressing himself to the circuit court of the county of St. Louis, then in session, for a writ of habeas corpus. The witness accordingly forthwith prepared a petition and had it presented to the judge, who granted the writ, requiring the sheriff and jailor of the county to bring the witness before him with the cause of his detension. The witness was accordingly brought before the circuit court about three or four hours after he was committed, and was, after a short discussion on the character of the committal and the cause of detention, discharged by the judge from further confinement, on the ground that the paper purporting to be a commitment was not authenticated. The witness then returned to his family, and did not afterwards hear from judge Peck on the subject.

The witness here declared that he had detailed all that he recollected touching the conduct of judge Peck towards him, and which seemed to relate to the charge before the court.

The examination of the witness was then taken up for some time longer by Mr. *Buchanan*, with the view of further elucidating parts of the foregoing evidence; this done, Mr. *Meredith*, on the part of judge Peck, commenced the cross-examination.

December 24. Petitions of a personal nature, and many local matters, or bills, were introduced, but nothing of a generally interesting character determined. The senate spent a short time, in the consideration of executive business—and then resumed the trial of judge Peck.

The cross-examination of Mr. Lawless was continued up to the hour of adjournment. It has now reached only to the sixth specification in the publication of "A Citizen."* The searching ability displayed by Mr. *Wirt*, (says the National Intelligencer) on the occasion, is met by unusual vigor, talent and decision on the part of the witness.

The senate adjourned till eleven, and the court till twelve o'clock on Monday.

December 27. After the presentation of private petitions, &c.—

Mr. *Sprague* submitted the following resolution:

Resolved, That the secretary of the treasury be directed to lay before the senate a statement of the annual payments which have been made as drawback, or allowance upon the exportation of pickled fish, since the passage of the act of 29th of July, 1813.

At 12 o'clock the senate again resolved itself into a high court of impeachment.

Mr. *Wirt*, the leading counsel for the respondent, resumed and concluded the cross-examination of Mr. *Lawless*.

The senate then, at 3 o'clock, adjourned to 11, and the court to 12 o'clock to-morrow.

December 28. Several minor matters were attended to —a short time spent in executive business—and

At 12 o'clock the senate again resolved itself into a high court of impeachment.

Henry S. Guyer, a member of the Missouri bar; the rev. Thomas Horrell; and Arthur L. Magennis, another member of the Missouri bar, were examined and cross-examined, as witnesses on behalf of the house of representatives.

Adjourned till to-morrow.

December 29. A message from the president on executive business, and a letter from the secretary of the navy, in compliance with a call of the senate, were presented. The latter will be given at length.

Mr. *Dickerson*, after some prefatory remarks, offered the following resolution:

Resolved, by the senate and house of representatives of the United States of America in congress assembled, two thirds of both

* We ought to add this publication of Mr. Lawless—but we want the room; and, perhaps it will be in better time, when we shall have some direct replication to its contents. ED. REG.

houses concurring, That the following amendment to the constitution of the United States be proposed to the legislatures of the several states, which, when ratified by the legislatures of three fourths of the states, shall be valid to all intents and purposes, as part of the constitution:

"That no Person, who shall have been elected to the office of president of the United States a second time, shall again be eligible to that office."

The other business attended to will sufficiently appear in its progress.

At 12 o'clock the trial of judge Peck was resumed. Mr. *Meredith* announced the absence of his colleague, Mr. Wirt, because of the dangerous illness of one of his children at Baltimore. Thus circumstanced, Mr. Meredith proposed a certain course of proceedings for the day, which was assented to, on the part of the managers and by the court—and

Charles S. Hempstead, Edward Charless, and Wharton Rector, witnesses on behalf of the impeachment, were then called, sworn, examined, and cross-examined.

The certificate of naturalization of Mr. Lawless, the protest of the Spanish lieutenant governor of Upper Louisiana, against the regulations of Morales, and sundry other papers, were produced as evidence.

Mr. *Buchanan* then said, that the managers for the house of representatives here rested the cause of the United States.

Mr. *Meredith* renewed his application for a suspension of the trial until Monday.

On motion of Mr. *Tazewell*, the court determined to adjourn over to Monday next, at twelve o'clock.

The senate adjourned till to-morrow.

December 30. No important public business was transacted this day—the senate was chiefly occupied with closed doors, on executive business.

HOUSE OF REPRESENTATIVES.

Thursday, Dec. 23. Several petitions were presented, &c. Mr. *Blair*, from the committee on internal improvement, reported a bill for the improvement of the river *Coosa*, and for its junction to the Tennessee, which was read and committed, &c.

The following resolution, offered yesterday by Mr. *Pearce*, was taken up:

Resolved, That the secretary of the navy be directed to report to this house the annual sum necessary to maintain a navy yard, for building and equipping a ship with despatch under the present navy regulations, with the probable annual amount of deterioration of buildings, and interest of the money disbursed in the erection of buildings, necessary for a navy yard.

After some discussion, the resolution, on motion of Mr. *Hoffman*, was laid on the table.

On motion of Mr. *White*, of N. York, it was

Resolved, That a select committee be appointed to inquire into the expediency of providing, by law, that dollars of the new American governments, and five franc pieces, shall be a legal tender in the payment of all debts and demands; and also, whether any additional regulations are necessary relative to the recoinage of foreign silver coin at the mint; and that said committee have leave to report by bill or otherwise.

And the committee was ordered to consist of five members. [Messrs. *White*, *Wilde*, *Boon*, *Tracy* and *Kennon*.]

Mr. *Yancey* offered the following resolution:

Resolved, That the committee on public expenditures be instructed to inquire into the expediency of reducing the pay and mileage of the members of congress, to six dollars for every day's service, and six dollars for every twenty miles going to and returning from the seat of the general government.

But the house refused to consider the resolution.

Several instructions to committees, on various subjects, were agreed to—many relating to *local* improvements.

Mr. *Haynes* offered the following resolution:

Resolved, That, during the trial of the impeachment now pending before the senate, this house will meet daily at the hour of 11 o'clock in the forenoon, and that, from day to day, it will resolve itself into a committee of the whole, and attend said trial during the continuance thereof, and until the conclusion of the same.

On this resolution some discussion took place, and a call for the ayes and noes was unsuccessfully made. The resolution was finally agreed to—ayes 96, noes 60.

[So, the house, in committee, will attend during the trial of judge Peck.]

The bill for the relief of Barnard Kelly was read a third time.

The question being on the passage of the bill—

Mr. *Whittlesey* asked the gentleman from Georgia to consent to the postponement of the bill, until some further information could be obtained from the post office.

The suggestion not being complied with—

Mr. *Whittlesey* moved to postpone the further consideration of the bill to the 3d of January, which was agreed to—ayes 102.

The house then, resolved into a committee of the whole, attended the trial of judge Peck, in the senate chamber, &c. and having returned, and the due report being made, adjourned.

Friday, December 24. Among the petitions presented this day, was one by Mr. *Wickliffe*, from inhabitants of the city of Louisville, in Kentucky, praying that appropriations may be made for improving the *Ohio* river, so as to render the same navigable, throughout the summer and fall months, by boats drawing four feet water, from the mouth of the river to Louisville, and by boats drawing three feet, between Louisville and Pittsburg; which petition was ordered to be printed.

Mr. *Johns* moved a reconsideration of the resolution passed yesterday, as to attendance at the trial of judge Peck—the consideration of which, by consent of the mover, was postponed to Monday next.

Many matters of a minor character were variously disposed of—and at 12 o'clock, the house, in committee, proceeded to the senate chamber, &c. and having returned, adjourned to Monday.

Monday, December 27. Mr. Martin of South Carolina, appeared and took his seat to-day. Petitions were presented and referred, as usual, and several reports made from certain committees.

The following resolution, submitted by Mr. *Taylor*, on Friday last, was taken up for consideration:

Resolved, That the clerk of this house cause a digested index to the executive papers, reports of committees, and other documents, to the close of the present congress, to be prepared and printed for the use of the members.

This produced some remarks from Mr. *Polk* and Mr. *Taylor*. Mr. P. thought the proceeding unnecessary—its cost would be about $2,000—a member might find the desired document by the index to *each* volume,* &c. He finally proposed to refer the resolution to the library committee. Mr. T. supported his resolution, and shewed the necessity of a general index. As things now were, members were compelled to look through several hundred volumes to find a particular document, and he thought that the expense of $2,000 would be no object, compared with the better transaction of the public business, &c. Mr. Polk replied—and the resolution was laid on the table.

The resolution offered by Mr. *Johns*, on Friday, as to attendance on the trial of judge Peck, was taken up, and, on the motion of Mr. Sterigere, was laid on the table—ayes 96, noes 79.

Mr. *Haynes* submitted the following resolution, which lies one day on the table:

Resolved, That the secretary of the treasury be directed to communicate to this house such information as the department may furnish, touching the cost of brown and white sugar imported into the United States from the year 1794 to 1830, inclusive, at the places from whence imported, distinguishing the prices of each year respectively.

The house then, in committee, attended the trial of judge Peck, &c. and adjourned.

Tuesday Dec. 28. Mr. Burgess, who has been much indisposed, appeared in his seat to-day.

Among other business—

Mr. *Blair* from the committee on internal improvement, reported a bill "to authorize the extension, con-

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*If Mr. Polk had occasion to make references as I have—he would hardly think that 20,000 dollars, expended to accomplish the object proposed by Mr. Taylor, in the time that it would save, and in the facility and *correctness* that it must afford to public business, would be too large a sum. Much more, perhaps, might even have remained in the treasury, because of requisitions made for documents previously in the possession of congress, for many have, at least in substance, been printed over and over and over again. The cost is a small matter. The index to the first *twelve* volumes of the REGISTER cost me $2,000; and the want of one for *all* the volumes is so much felt, that I expect to prepare it at a much greater expense—as soon as I am able to undertake it. ED. REG.

struction and use of a lateral branch of the Baltimore and Ohio rail road into and within the District of Columbia;" which was twice read and committed.

Mr. *Taylor*, after a few explanatory remarks submitted the following:

Resolved, That the clerk of this house cause a digested index to the executive papers, reports of committees and other documents, from the commencement of the 18th to the close of the present congress, to be prepared and printed for the use of the members.

Mr. *Polk* started a question of order, the same subject having been indefinitely postponed yesterday. The chair decided that the resolution was in order. It was finally referred to the library committee.

The following resolution was offered by Mr. *Howard*:

Resolved, That the following reports, made by the committee on commerce and manufactures, on the subject of protecting duties upon manufactures be printed for the use of the house: report made 10th February, 1802; report made 18th February, 1802; report made 8th March, 1802; report made 16th April, 1802; report made 21st February, 1803; report made 25th January, 1804.

Mr. *Hickliffe* called upon the mover of the resolution to state the reasons for it.

Mr. *Howard* said that he was always unwilling to introduce any matter into the house that might give rise to debate, and he certainly would not have offered the resolution if he had not supposed the object in view to be of such a character as to justify the consumption of a small portion of the time of the house. Upon reading the old journal recently reprinted, he had found that such reports were made, and being curious to see their purport, he had searched for a printed volume containing them, but had experienced such difficulty, that he was obliged to resort to the manuscript records of the house, and in that form he had read the reports in question. He was desirous to give them a more attentive examination than was possible in such a cursory reading, and he thought some of them, at least, worthy of the perusal of every member of the house, as indicating the opinion of the leading politicians of the nation in the years 1802, 1803 and 1804. This was one ground upon which he had offered the resolution. But there was another reason of a more general nature, that he would state in as few words as possible. The reports mentioned in the resolution advocated the policy of protecting manufactures, and were referred to committees of the whole house, by whom they appear to have been discussed until, in the year 1804, they were referred to the committee of ways and means, at the head of which was a distinguished gentleman of Virginia, now absent on a foreign mission. In one of the reports, the existence of peace in Europe, (the brief peace of 1802), was assigned as a reason for the adoption of the policy of protecting domestic manufactures; and he presumed that the return of "war freights," as the committee termed them, was the reason that the subject was not afterwards passed. This however was nothing more than a conjecture. But it was certain that the constitutional power of congress to impose protecting duties was assumed as a postulate, inasmuch as the reports were based entirely upon the exercise of that power. In the present posture of public affairs, when the existence of such a power was denied, and an appeal made to the great tribunal of public opinion, Mr. H. considered it to be the duty of the house to bring out from its past records, and throw before the nation whatever could tend in the slightest degree to shed any light upon a question of such magnitude. The years 1802, 1803 and 1804, were looked upon by many of our statesmen as the choicest periods of our civil history: and, although he was no believer in the doctrine that all wisdom was confined to our ancestors, yet, upon a question of constitutional power, the opinions of enlightened politicians who flourished at a period coeval with, or immediately succeeding the establishment of the government, were worthy of some consideration. Mr. H. said, he was desirous of throwing them before the public to pass for whatever they might be worth, and no more. The existence and purport of the reports specified in the resolution, he believed, were not generally known; at least as far as his own limited inquiries had gone, he had not met with them; and he had therefore been induced to offer the resolution.

Mr. *Speight* objected to the resolution, as being intended to produce an effect favorable to the exercise by congress of the power of protecting manufactures.—There had been a faction from the beginning of this government, he said, in favor of such doctrines—the same faction which wanted to establish a monarchy in this country—and had nearly succeeded too. Did the gentleman mean to bring forward these reports to sustain these doctrines? What will be the effect of reviving these reports now, by causing them to be printed? Are they, said he, to be placed on members' tables, in order to be franked throughout the United States, to prove that congress has the constitutional right to tax my constituents, and the people of the south generally, for the support of manufactures? Gentlemen have it already in their power to recur to these documents, if they desire to do so, and, if they want the aid of them to make speeches, they can have it without having them printed. For his part, Mr. S. said, observation had convinced him that nothing like argument on this subject would have any effect upon this house. He repeated that he was opposed to printing these documents, because of its being intended to operate on public opinion, and because also of the expense of printing them.

After a few remarks from Mr. *Cambreleng* and Mr. *Speight*, the latter still objecting the proposed publication as being "*partial*,"—and the house having refused to lay the resolution on the table—

Mr. *Ramsay* moved the following amendment, which he accompanied by a few remarks:

"*Resolved*, That in addition to the usual number, the number be so increased as that the clerk of this house furnish the legislatures of the different states each with four copies."

Mr. *Howard* rose and was about to address the house when it was announced that the senate was sitting as a court of impeachment, &c. and the house, in committee of the whole, attended—as heretofore.

Wednesday, Dec. 29. Among other petitions presented was one by Mr. *Varnum*, from Elisha Bigelow, of Massachusetts, builder of steam engines, stating that he has discovered a process by which the fatal consequences of the bursting of steam engines may be prevented, which he is disposed to make public if suitably rewarded; and praying that congress will take such order in the premises as may seem right and proper; which petition was, on the motion of Mr. *Varnum*, referred to a select committee, to consist of five members.

After other matters, the house resumed the consideration of Mr. *Howard's* resolution, offered yesterday, but we MUST, reluctantly, postpone the remarks of Messrs. *Howard*, *Speight*, *Cambreleng*, *Mallary* and *Archer*, &c. until next week. Mr. *Howard* briefly supported his resolution—Mr. *Ramsay's* proposed amendment was rejected. Mr. *Speight* made a full attack on the resolution, or proposed to add the report of the committee of ways and means, of 15th March, 1828 [Mr. McDuffie's], and that of the committee of commerce [Mr. Cambreleng's], of the 8th Feb. 1830. Mr. *Howard* replied, and well maintained the ground that he had taken. Mr. *Cambreleng* proposed to add the treasury report of March, 1792. Mr. *Howard*, for reasons assigned, would not accept either the addition of Mr. *Speight* or of Mr. *Cambreleng*—he said the idea had gone abroad that Mr. JEFFERSON was opposed to duties for protecting manufactures, and he wished to shew that that idea was unfounded, &c. Mr. *Mallary* opposed the amendment offered by Mr. *Speight*—*ten thousand copies* of the latter report had been printed at the last session of congress—[at the public expense], and he hoped the house would bestow a liberal indulgence to the resolution, for reasons offered by him. Mr. *Archer* generally opposed the resolution, and Mr. *Wayne* commenced some remarks—when, the house, in committee of the whole, attended the trial of judge Peck.

Thursday, Dec. 30. Very many minor matters were attended to, which had been in arrears because of the attendance of the house in the senate. Mr. *Howard's* resolution was further discussed, and finally referred to the library committee. Mr. *Chilton* offered a motion to adopt some uniform mode of computing the distance for the mileage of members—which was agreed to, by a large majority.

A debate then arose on a bill for the payment of six thousand dollars, annually, to the Seneca Indians, which occupied the chief part of the day. No decision was had.

NILES' WEEKLY REGISTER.

FOURTH SERIES. No. 20—VOL. III.] BALTIMORE, JAN. 8, 1831. [VOL. XXXIX. WHOLE NO. 1008.

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT $5 PER ANNUM, PAYABLE IN ADVANCE.

☞A supplement of eight pages accompanies the present sheet. I have taken advantage of the room obtained to dispose of many short, as well as some long articles, that were waiting an insertion. I wish it were so that I could give a supplement every week, during the sessions of congress and the state legislatures. The *documentary* matter is every year increasing; and now is of a formidable amount. I might get along with that—but what proportion of my readers will be satisfied with documents only? A *present* interest must be kept up, if I would keep up myself—in a weekly publication: and hence a degree of labor in selecting, doubt and difficulty—always being in "straights betwixt" *fifties*, which no man can estimate, who has not the desires and the feelings that I have.

☞We give a brief sketch of the debate on Mr. *Howard's* resolution, with some short extracts from two of the documents referred to—which we happened to have. They are calculated to make the "new lights" shine dimly! Let the *names* of the members of the committees who made these reports, not be passed over slightly.

☞Among the novelties of the new year, is the receipt of two new subscribers, with the cash in advance, from *South Carolina!* The letters forwarding these are highly complimentary, and shew a very firm tone in opposition to *nullification*, saying that the "bone and muscle of the state is sound," which I have always believed—but regretting that violence, with prejudice, is doing much to drive off the free white laboring population from certain parts of the state. The loss of such men may be felt, when it is too late. It is an easy thing to make princes and lords—but a "virtuous populace" is hard, indeed, to supply.

THE PRESIDENT'S MESSAGE. We have not offered a "handful" of remarks on the message, nor are we given to explanations of the meanings of our chief magistrates, except when discussing *particular* subjects. As we felt the inconvenience of its excessive length, we cannot laugh at the "*groans*"* of hundreds of editors of papers, (much less capacious than our own), on that account—and yet some of them are laughable! It monopolized the whole reading matter of many, for a couple of weeks. The "*misery*" was, that they *must* publish, though nearly all their readers had seen it, in some other way, before they could get through it. This is a source of real mortification to a spirited editor. Its length, was, indeed, awful—to printers.

COSTS OF TRANSPORTATION. Suppose that there are certain things, [no matter what], that are produced, or have their places of deposit, at Pittsburg and Wheeling, the market for which, (being a surplus beyond the demand of their neighborhoods, or for the river trade), requires them to be sent to the Atlantic ports to realize their values, the weight of all which is 100,000 tons—and that at Philadelphia and Baltimore there are certain other things of the weight of 50,000 tons [no matter what], which are required for the consumption or business of the western towns named and the river trade spoken of. Here we have 150,000 tons to transport about 300 miles and over the mountains, at an average cost, as we shall say, of forty dollars per ton. The whole charge for transportation is then 6,000,000 dollars. But the Baltimore and Ohio rail road being made, this cost is reduced, let us again say, to 10 dollars per ton, or 1,500,000 dollars, and there is a *general* gain of 4,500,000 dollars. Now if the rail road shall cost 10,000,000 of dollars, for example, and the stockholders shall not obtain one cent of profit, by way of interest on their capital, an apparent loss will accrue to *them* of 600,000 dollars a year, which, added to their charges for transportation, will make 2,100,000 expended, or lost, instead of 6,000,000 to be paid, under present circumstances—or, a gain to the *community* in the large sum of 3,900,000 dollars, by the annual operations on this road. It is on this principle that the wealth of nations is founded—for the gain, of saving, thus made, must [no matter how] pass into the general value of production or reduced price of articles—either of which becomes a substantial profit, an entire *reciprocity* existing in all the exchanges of value.

The Baltimore and Ohio rail road company has issued proposals for a supply of locomotive steam engines, of American manufacture, to be delivered for trial on or before the 1st June next. They must burn coal or coke—consume their own smoke—not weigh, when in operation, more than 3½ tons, and, on a level road, draw 15 tons 15 miles an hour, &c. We shall copy these proposals into our next paper.

This seems a moderate proposition, as to speed and weight—for we see that one of these engines on the Liverpool and Manchester railway, weighing 6 tons, and its tender, water and fuel, 4 tons, drew a train of 18 wagons, laden with 135 bales American cotton, 200 barrels of flour, 63 sacks of oat meal and 34 sacks of malt, all which, with the weight of the wagons, &c. amounted to 86 tons! The journey was made in 2*h*. 24*m*. including stoppages. The train was assisted up the Rainhill inclined plane by other engines, at the rate of 9 miles an hour, and descended the Sutton incline at the rate of 16 miles an hour—the average rate on the other parts of the road was 12½ miles an hour, &c.

With such results, can there be any thing extravagant in the preceding calculations, as to the conveyance of articles over the Baltimore and Ohio rail road?

THE MORRIS CANAL, as we learn by a letter from a friend, is in operation for the space of fifty miles to Newark, N. J. and boats are constantly passing and repassing. The inclined planes work handsomely, and the writer says that he had passed over several in a pleasure boat, without difficulty——though the perpendicular lifts are from 50 to a 100 feet, a boat will pass them in from 10 to 15 minutes. This has had the effect already to reduce the carriage of iron, made at works adjacent to the canal, from five dollars a ton to 50 cents.

Such is the result of internal improvement. The cost of transportations are as so much lost to the general wealth or resources of a country,—though, without such transportations, many things would not have any current value. The operation of this canal already saves nine-tenths of the former cost of transportation, and must benefit the community to that amount. That is, an increased profit to the manufacturer, or a reduced cost to the consumer, has ensued—and yet the article is *essentially* worth only just so much as it was before the canal was made. *Price* and *value* are not synonymous terms; but the first is regulated by scarcity or supply, or the cost of sending a commodity to the *market* for it.

NEW JERSEY. The election for members of congress from this state took place last week. Messrs. L. Condict, Cooper, Hughes and Randolph have been re-elected, and Messrs. Isaac Southard and Silas Condict in the place of Messrs. Pierson and Swan. They are all "National Republicans," and earnest friends of the "American system." The particular majority is not ascertained—but appears to be about 1,500. We shall give the returns, when obtained.

*How would their *groans* have been increased, had they been compelled also to have published the explanations of the message, by the "Richmond Enquirer!"

MARYLAND. The legislature of this state met at Annapolis on Monday the 27th ult. Richard Thomas, esq. of St, Mary's, was elected speaker of the house of delegates, and William H. Marriot of Baltimore, president of the senate.

On Monday last Daniel Martin, esq. of Talbot, was elected governor of the state for the current year—for Mr. Martin 50 votes and 22 blanks, no other candidate being in nomination: and on Tuesday Messrs. George Howard, of Anne Arundel, Thomas C. Worthington, of Frederick, Samuel Turner of Calvert, William Potter, of Caroline, and Henry Page of Dorchester, were elected the executive council, without oposition.

Had all the members of both houses been present, and voted according to their political preferences, Mr. Martin, (national republican) would have had 68, and an administration candidate 27—majority 41. Mr. Martin was turned out last year by the Jacksonians, and is now restored. The council is wholly of new members, but all anti-Jackson. The reason of the short vote that Mr. Martin has received, was in the doubts of some as to his eligibility. A gentleman may serve as governor of Maryland three years, or terms, successively; but the constitution is so worded as to have made it a question, whether, having been in office one year, Mr. Martin was eligible, unless having been out of office four years, as is provided on serving three successive years. A very *awkward* provision indeed.

SOUTH CAROLINA. The legislature of this state closed an *ardent* session at 3 o'clock on Sunday morning, the 19th ult. The great question, as to calling a convention, was lost in both houses—two-thirds being required to give validity to any proceeding in this respect. For it, in the senate, 23—against it 12. For it in the house of representatives, 60—against it 56. The latter are fresh from the people. At another election, we have no doubt of there being a *majority* against the proposition. The "signs of the times" are against suicidal *nullification:* by which *Delaware* may arrest the *mails* of the United States, or open "*free ports*" when she pleases—nay, declare that any man who causes a pound of cotton to be made shall suffer death, if found in her *sovereign* territory! This is the "extent and no more," of the South Carolina doctrines. Have the "sovereigns" of the state examined it? Let them do it, speedily.

An idea prevails that an extra session of the legislature will be called, unless a "modification of the tariff" shall take place at the present session of congress. The latter is not to be expected. And *South Carolina* ought to know that *threats* will not bring it about, at any time. The doings of the "*Hartford convention*," and the *conflagration of Washington*, gave much strength to the NATION, in the time of our need. And such will always be the result of violent measures in the United States, until that *moral power*, which shews the beauty of our republican institutions, becomes the prey of *politicians*—who, "like beggars placed on horseback, will ride to the ——," to shew "his majesty" their preferment.

It is not worth while, at present, to detail the proceedings had in the legislature of South Carolina. The result is sufficient. The following articles, however, may require a record:

At a meeting of "the friends of Jackson and state rights," held at Georgetown, in South Carolina, among other sentiments we find the following:

"*Resolved*, That we profess an ardent attachment to our venerable president *Andrew Jackson*, and, judging from his just and legitimate construction of the constitution, do place every reliance on his future exertions to establish the principle of state sovereignty, and his firm opposition to every attempt which might be made to destroy its original purity.

"*Resolved*, That we deem the crisis has now arrived, when further forbearance would imply a tame submission to oppression, and that the attitude which the federal government continues to assume towards the southern states, call for decisive and unequivocal resistance."

At the late meeting in Charleston, in which Mr. Pettigru was put in nomination for the assembly, and which, as proved by the result of of the election since held, may be taken to express the sense of a majority of the voters of the city of Charleston:—

"*Resolved*, That we consider the call of a convention, as a preparatory and preliminary measure for carrying into effect a nullification of the laws of the United States.

"*Resolved*, That a nullification of the laws of the U. States, by a single state, is revolutionary and unconstitutional.

"*Resolved*, That we admire and applaud the course of the hon. *William Smith*, and heartily respond to the sentiments contained in his admirable address to the people of South Carolina—That we tender him our thanks for the service he has done his country, and our congratulations on the self-approbation and consciousness of fidelity, in great public trusts, which he carries with him into retirement, and of which no party can deprive him.

"On motion, it was unanimously *resolved*, That a copy of the foregoing resolutions be sent to the hon. *William Smith.*"

A writer in the Columbia Times, thus pathetically closes his strictures on the president's message;

"And this is the wise, the honest, the impartial man, to whom we are to look up, according to judge Smith, and the submission-men, for the redress of all our wrongs!!! God help us: for if we do not resolutely determine at all hazards to help ourselves, there is no help for us.

General Jackson does not like the present bank of the United States, but he proposes a government bank, which I like worse, and so will the people: that discussion is coming on.

But enough: I quit this disheartening specimen of weak and temporizing policy, to mourn in silence over the fate of my devoted country." [And "*calculate the value of the union!*"]

The following *farewell* address of gov. Miller also claims a place.

From the Columbia Times, Dec. 13.

The following message was received yesterday by the legislature.

To the honorable the speaker,

and other members of the house of representatives.

I have been directed by the board of trustees of the South Carolina college, to request the attendance of the legislature at the college commencement on Monday next.

I herewith transmit an account of the contingent fund.

The constitutional term for which I was elected, expires on the ninth inst. In making this last communication to the representatives of the people, I cannot omit to express the high sense of the obligation I feel for your continued kindness and support. That it should have been my lot to have erred often, in the discharge of my official duty, I am ready to admit. I shall, however, consider it one of the proudest moments of my life, to leave the executive department with the confidence of my fellow citizens. The limited patronage and limited duration of this office, conspire to make it the weakest of the three great departments of our government.

That in the discharge of my duty, I have been separated from some whom I esteem and honor, is my misfortune. I am not satisfied that it is my fault. In laying down one very responsible station, and, in conformity to your will, assuming another, I am persuaded you will believe me, when I declare, that I am deeply affected by your generous confidence. That others may surpass me in talents and acquirements, I will not deny; but I will yield to none in the devotion felt for the honor and interest of my native state.

Intolerance is not a leading feature of my political creed; for the proof of this I refer both to my opinions and actions. Yet we cannot forget, that he who extends quarters to an enemy where none are reciprocated, is as likely to be supposed under the influence of fear as magnanimity. The party feeling which pervades this state, I trust will be but momentary. The day cannot be far distant when common oppression or common prosperity must make us an united people. Let me then entreat you, to cherish towards each other sentiments of good will. Suffer not friendships, matured by years spent in

good offices, to be corroded by a mere controversial, speculative difference, as to who is the purest patriot.

Circumstances over which I had no control, have, within a few months past, arraigned me in opposition to some of my best friends. That they have felt it necessary to give an assurance of their sincerity and devotion to principle, by a practical proof of how far they politically differed from me, gives me no cause for unkind feeling. I still regard the legislature as composed of my personal friends. My greatest and highest ambition will be, to do the greatest good to the greatest number of the people of South Carolina.

STEPHEN D. MILLER.

Executive Department, Dec. 8, 1830.

MR. MCTAVISH. The public is much indebted to this spirited and liberal gentleman for the suit that he instituted, as stated below—and his disposition of the damages obtained, gives additional value to his conduct.

The Gazette of the 31st ult. says—

Our readers are already acquainted with the fact, that a suit was instituted in Baltimore county court, by John McTavish, esq. against the proprietors of a line of stages between this city and the city of Washington, to recover damages for a severe injury, sustained in consequence of being thrown out of one of the stages by the imprudence of the driver, in endeavoring to pass a stage belonging to another line. In that action Mr. McTavish recovered six hundred dollars, the whole amount of which, after deducting the actual expenses incurred by him, he has generously applied to charitable purposes. One hundred and fifty dollars of the money so recovered, has been presented by Mr. McTavish to that useful and well conducted charitable institution, the St. Andrew's society of Baltimore.

TRADE OF TROY. The following summary statements obligingly furnished us by the collector at West Troy:

30,896,152 feet lumber; 126,922 bbls. flour; 465,837 bushels wheat, and 10,988 bbls. ashes arrived at West Troy.

And 47,714,400 pounds of merchandize cleared from this place, during the present season.

Receipts at this office this year, $124,760 21, making an increase over the tolls of last, about 45 per cent.

CANADA EMIGRATION. It is stated in the Quebec Gazette, that, during the year 1830, the total number of emigrants who arrived at that place from the United Kingdom, amounts to 28,000. Of these, 17,596 are from Ireland, 6,895 from England, 2,600 from Scotland, and the remainder from Wales.

The amount of emigrants who arrived in 1828 was 12,000 and in 1829, 15,945. It is estimated that in the year 1827, about one twelfth part of the emigrants landing in Quebec remained in Lower Canada. In 1829 more than one fifth remained, and in 1830 more than one third remained. The Gazette further states that, upon information received from Upper Canada, and other places, it is fair to presume that a reflux of British settlers from the United States has entered those provinces, amounting to but few short of the number admitted to have passed through the Canadas on their way to settle among their republican neighbours.

A very considerable number of emigrants who arrived this season at New York, are known to have found their way into the Canadas, by way of Oswego—and a large portion of valuable settlers from the United Kingdom went to Montreal through St. John's. Among these latter were many Highlanders, and farmers from Sutherlandshire, now principally located, as the phrase is, in Chatauguay and its vicinity.

BRITISH WEST INDIA TRADE. The order in council, opening the British West India ports—and the duties imposed on the introduction of our commodities, with a sketch of a debate in the British house of commons on the subject, will be found in the supplement to the present sheet.

It will be seen also, that the president has communicated the correspondence of Mr. McLane with the earl of Aberdeen, concerning this trade; but, by some wonderful circumstances, the New York "Journal of Commerce" commenced the publication of this correspondence *before* it was communicated to congress! We intend to give the whole of it, from the official copy, as soon as we can; not because it is of any great interest, in our opinion—but for the reason that others believe it to be so.

It will also be seen by the table of duties payable, that a barrel of flour, for example, carried from the United States, to Jamaica, will pay a duty of 6*s.* or $1 33, per barrel, but if received from the British American colonies, no duty will be demanded. Our wheat, corn, &c. are also heavily taxed, unless sent through a *British* port, and then they are "free," &c. A careful examination of the table will shew other severe discriminations—instance, 1,000 feet of inch thick lumber will pay, if sent from the United States, £1 11*s* 6*d*—or 699 cents, say seven dollars* the 1,000—from the British colonies free. All this we have told our readers would be the operation of this proceeding.

Further—according to the version of the correspondence, as inserted in the "Journal of Commerce," Mr. McLane is made to say, when speaking of the circuitous supplies derived from the United States, via: the island of St. Thomas, &c.—"It has ever been asserted, by intelligent commercial men, that Jamaica has not consumed less of the flour and provisions, generally, of the United States, though at an additional and oppressive expense, than when the trade was direct."

We think that there is no doubt of the fact—and have asserted it several times on the authority of *practical* men, as our readers will well recollect. We are then to lose, at least, the amounts formerly earned in freights by American vessels, so far as they shall be cast into the hands of British ship-owners. It is yet to be seen what the equivalent will be.

The letters of Mr. McLane are not to our taste, however suitable they may be to that of others. Their *earnestness* seems to run much too far into *entreaty*—that Great Britian will do, what he esteems it her manifest interest to do.

We see it stated, that Mr. McLane expects, or is expected, soon to return from the court of St. James, to the United States.

PRICE OF GRAIN IN ENGLAND. In our last paper we made some remarks as to the exportation of flour to England. The last average established was 62*s.* 7*d.* per quarter, for wheat, and the duty then stood at 24*s.* 8*d.* or 14*s.* 10*d.* on a barrel of flour. At 62*s.* 7*d.* the qr. the cost of 60*lb.* the equivalent of an American bushel of wheat, was 153 cents—or for a barrel of flour, rated as equal to 5 bushels, or 300*lbs.* of wheat, (allowing for the cost of manufacture), seven dollars and sixty-five cents—or two dollars and sixty-five cents more than was the price of flour in the United States at the time of the average, and yet our flour was subject to a duty of 14*s.* 10*d.* or about 330 cents per barrel, without regard to the different values of the dollar, which would raise the price *nine per cent.* higher, as to the cost of British flour, or the duty upon the American. That is—as *we* call the dollar and the barrel, British flour was worth $8 34, and the duty on the American $3 60, nearly. Here is matter for the reflection of *our* "free trade" philosophers—British wheat flour is sixty-five per cent. dearer than the American, and yet the latter cannot come into competition with the former, though delivered at Liverpool, free of cost for freight and charges.

☞307,617 barrels, and 4,760 half-barrels of flour, were imported into Boston, only, in the year just ended. When does *all* Great Britain consume so large a quantity, in a year?

BRITISH PARLIAMENT. The members of the present house of commons have done a good thing in putting down Wellington and the high tory administration, but we may not be sanguine of reforms that will bring about the purification of parliament, from a house established as the present one is.

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*The different values of the dollar being regarded, the duty is 762 cents the 1,000.

It consists of 658 members—of the 254 are relations of peers and bishops in the house of lords, 63 were in place or the receipt of pensions, 88 officers of the army, 24 of the navy—making 429 members, a large majority.

The 658 members are thus chosen—125 are returned by *themselves*, or their kindred, 145 under other patronage of wealthy individuals, 137 from what are called open cities or boroughs, and 82 county members—these are from England. Then there are 24 from Wales, 45 from Scotland, 110 from Ireland—three fourths of all whom were under "patronage" of the peers or great land proprietors.

Still, and notwithstanding, *public opinion* is powerful in England,—and will demand and receive a considerable portion of respect from the house of commons, on many important subjects; and besides, in *all* cases, the interests of the aristocracy is not opposed to that of the laboring classes.

COTTON. Comparative view of the imports of cotton into the united kingdom of Great Britain and Ireland, from the 1st of January to the 20th November last, the imports for the same period last year.

Into the kingdom this year.	bags.	
American,		579,960
South America,		154,757
West Indies, Demerara, &c.		9,856
East Indies,		30,635
Egypt, Europe, &c.		14,711
Total of all descriptions,		789,919
Same period last year.	bags.	
American,		447,428
South American,		154,872
West Indies, Demerara, &c.		15,756
East Indies,		76,807
Egypt, &c.		22,137
		717,000
Increase of imports as compared with same period last year,		72,919

The great increase has been in American cotton, and chief decrease in the East India—the effect of the lower price of the former than heretofore. The East India cotton is in greater or less request, as the American rises or declines in price.

SLAVERY. A general movement is taking place in England, on the subject of negro slavery. We have never known so many petitions to be sent in, within so short a period, upon any one subject, as those which at the date of our last advices, crowded the tables of parliament, praying for the total abolition of slavery in the British dependencies,—

The following table shows the relative proportion of the whites, slaves, and free blacks in the West India islands, which will be read with interest:

Chartered colonies.	*Whites.*	*Slaves.*	*Free blacks.*
Bermuda,	5,500	4,650	500
Bahamas,	4,000	9,500	2,800
Jamaica,	15,000	331,000	40,000
Virgin Isles, or Tortola,	860	5,400	607
St. Christopher's	1,809	19,500	2,500
Nevis,	800	9,000	1,800
Antigua,	2,000	30,000	4,500
Mont-Serrat,	500	6,000	700
Dominica,	800	14,500	3,600
Barbadoes,	15,000	81,000	5,000
St. Vincent's	1,300	23,500	2,900
Grenada,	800	24,500	3,700
Tobago,	350	12,700	1,200
Crown colonies.			
St. Lucia,	1,100	13,500	4,000
Trinidad,	13,500	23,000	16,000
Honduras,	300	2,450	2,800
Demerara,	3,000	70,000	6,000
Berbice,	600	21,000	1,000
Cape of Good Hope,	43,000	35,000	29,000
Mauritius,	8,000	76,000	15,100
Total,	106,150	812,700	143,707

The board of admiralty has published a letter from capt. A. Gordon, of his B. M. N. describing a severe battle that commander Broughton, of the sloop Primrose, had with the Spanish slave-ship *Velos Passagera*, bound to Havana, laden with slaves. The latter had 20 guns and a renegade crew of many nations of about 150 men, and 555 slaves. A search was refused and the Primrose fired upon, from whom it was quickly returned, and the slaver soon captured, with 46 of her crew killed and 20 wounded—and five slaves only killed. The Primrose had 3 killed and 12 wounded, some severely, among them commander Broughton.

APPOINTMENTS BY THE PRESIDENT. *By and with the advice and consent of the senate.* Jefferson Glenn, to be surveyor and inspector of the revenue for the port of St. Johns, in the territory of Florida, vice Matthew Jenkins, removed.

John S. Westwood, to be surveyor and inspector of the revenue for the port of Hampton, in the state of Virginia, from the 3d day of March, 1831, when his present commission will expire.

Berry B. Baker, to be surveyor and inspector of the revenue for the port of South Quay, in the state of Virginia, from the 24th of December, 1830, when his commission expired.

John Rodman, to be collector of the customs for the district, and inspector of the revenue for the port of St. Augustine, in the territory of Florida, from the 30 day of March, 1831, when his present commission will expire.

Faugh W. Sullivan, to be surveyor and inspector of the revenue for the port of West Point, in the state of Virginia, vice Eugene Sullivan, deceased.

John J. Maxwell, to be collector of the customs for the district, and inspector of the revenue for the port of Hardwicke, in the state of Georgia, vice Alexander Nethercliff, deceased.

Edward M. Ryland, to be receiver of public moneys for the district of lands subject to sale at Lexington, in the state of Missouri, from the 21st day of December, 1830, when the commission of Andrew S. McGirk, expired.

George W. Buchanan, of Pennsylvania, to be attorney of the United States, for the western district of Pennsylvania, in place of Alexander Brackenridge.

Charles Barnet, of New Jersey, to be consul of the United States, for the port of Venice, in the Austrian empire.

Edwin M. Ryland, to be receiver of public moneys in the western land district of Missouri, in place of A. S. McGirk, whose term of service had expired.

Noah H. Swayne, of Ohio, to be attorney of the United States for the district of Ohio, in place of Sam'l. Herrick, resigned.

Elijah Hayward, of Ohio, to be commissioner of the general land office, in place of George Graham, deceased.

Philip P. Barbour, of Virginia, to be judge of the United States for the eastern district of Virginia, in place of George Hay, deceased.

Matthew Harvey, of New Hampshire, to be judge of the United States, for the district of New Hampshire, in place of John S. Sherburne, deceased.

Benjamin K. Morsell, Nicholas B. Van Zandt, Joshua Nelson and Nathaniel Brady, to be justices of the peace for the county of Washington, in the District of Columbia.

Thomas William Gilpin, of Delaware, to be consul of the United States for the port of Belfast, in Ireland, in place of Samuel Luke, removed.

Paul Eynaud, to be consul of the United States for the island of Malta, in place of John Pulis, removed.

Nicholas Biddle, of Pennsylvania; George M. Dallas, of Pennsylvania; James Campbell, of New York, John S. Donnell, of Maryland; and Daniel M. Durrell, of New Hampshire; to be directors of the bank of the United States for the year 1831.

Daniel Lane, to be collector of the Customs for the district, and inspector of the revenue for the port of Belfast, in the state of Maine.

Edward Scott Jarvis, to be collector of the customs for the district, and inspector of the revenue for the

port of Frenchman's bay, in the state of Maine, from the 2d day of March, 1831, when his present commission will expire.

Samuel Ayer, to be surveyor and inspector of the revenue for the port of Eastport, in the state of Maine, from the 24th December, 1830, when his commission expired.

William Connor, to be surveyor and inspector of the revenue for the port of Hartford, in the state of Connecticut, from the 22nd February 1831, when his present commission will expire.

Benjamin Pomeroy, to be surveyor and inspector of the revenue for the port of Stonington, in the state of Connecticut, from the 4th of December, 1830, when the commission of Samuel S. Dennison expired.

William A. Whitehead, to be collector of the customs for the district, and inspector of the revenue for the port of Key West, in the territory of Florida, vice Algernon S. Thruston, removed.

Barnard Van Horne, to be receiver of public moneys for the district of lands subject to sale at Zanesville, in the state of Ohio, from the 21st of December, 1830, when his commission expired.

George B. Bameron, to be receiver of public moneys for the district of lands subject to sale at Augusta, in the state of Mississippi, from the 24th of December, 1830.

Benjamin L. C. Wailes, to be register of the land office, for the district of lands subject to sale at Washington, in the state of Mississippi, from the 24th of December, 1830.

Robert J. Skinner, to be receiver of public moneys for the district of lands subject to sale at Piqua, in the state of Ohio, from the 21st of December, 1830, when the commission of Robert Young expired.

Samuel Quinby, to be receiver of public moneys for the district of lands subject to sale at Wooster, in the state of Ohio, from the 2d day of March, 1831, when his present commission will expire.

BRIEF NOTICES.

Mr. Kane has been re-elected a senator of the United States from *Illinois*, for six years, from the 3d of March next, by a vote of 42 out of 52, and John M. Robinson has been elected in the place of Mr. McLean, deceased, whose seat is at present occupied by Mr. Baker. They are both friends of the administration; of which also, Mr. Reynolds, lately elected governor, has declared himself to be.

A meeting of citizens of New York has been held at which a memorial to congress was adopted, inviting attention to the claims of the late president *Monroe*. It is warm and spirited, though entirely respectful. We rather doubt the propriety of such proceedings.

The trial of commodore *Creighton* for alleged acts of tyranny and misconduct of various kinds, while in command of the Hudson frigate, &c. was commenced at Philadelphia on the 1st. inst.

Gabriel Moore, (governor of the state of *Alabama*), has been elected a senator of the United States from that state, for six years, from the 3d day of March next, when the term of service of Mr. *McKinley* will expire.

The flag of American silk, presented to the house of representatives by Mr. *Duponceau*, has been suspended in the splendid hall of that body, which, we hope, as a national emblem, it will long continue to decorate. It is perhaps a fortuitous (but it is a felicitous) circumstance, that the flag is grouped over the west fire-place, with the fine full length portrait of the good and great *Lafayette*, presented to congress by the Parisian artist.

It is stated in the Boston papers that, during the month of November, there were but forty hours of sunshine in that city. In Lancaster, Pa. there were fifteen days of clear weather and fifteen of rain.

The *vice president* arrived at Washington on the evening of the 27th ult.

The Delaware Journal informs us, that the rail road from New Castle to French-town, will be completed with all possible despatch; and it is calculated that while the heavier trade will go through the canal, much of the light trade and passengers will take the railway.

The distance is short, the land is remarkably level, and the route is that of the stage line on the old steam boat route. The ground has been surveyed, and the location made; the distance is about 16 miles. Offers have been made to complete the work for $100,000.

New York is infested by an extensive gang of *accomplished* gamblers, and their depredations are to an enormous amount. They generally pass for gentlemen.

Uncommon thieves.—A young woman named Swan, belonging to Marblehead, was tried at Salem last week, for stealing turtle shell from captain Joseph Ropes, in whose family she lived as a domestic. It appeared that she had sold at different times and to different persons in Salem, about 60 pounds of the article, worth on the average one dollar an ounce. She had an accomplice, Mary Holden, who lived with the daughter of captain Ropes. The former was convicted and the latter pleaded guilty, and both were sentenced to solitary confinement, and thirteen months labor in the county jail.

The steamboat Uncle Sam, from Vicksburgh, arrived at New Orleans on the 3d ult. with *two thousand, two hundred and forty-six bales of cotton.*

The society of Friends (says the Raleigh Register) have removed from the state of North Carolina, 652 persons of color from under their care, and unknown numbers of children, husbands and wives that were connected with them by consanguinity. In doing this the society have expended twelve thousand seven hundred and sixty-nine dollars, fifty cents. There are remaining in their care, four hundred and two.

Prosecutions for the breach of marriage-promises are pretty frequent.

We learn from the Gazette that the definitive location of the Baltimore and Ohio rail road was completed some days ago, as far as the "Point of rocks," and that the Chapel Ridge will be passed by an acclivity so gentle as wholly to dispense with the necessity of stationary engines at that place. This is an important desideratum, and enables the company to accomplish the entire route to Cumberland with but a single summit at Parr Spring ridge.

The National Gazette contains a long but very interesting vindication, by the sons of the late *James A. Bayard*, of the integrity of their father, in the contested election for president, in 1801, assailed in the memoirs of Jefferson. This same subject was referred to in the great debate in the senate last winter, and the character of Mr. Bayard fully sustained by Mr. Livingston and Mr Smith.

That Mr. Jefferson put down what he thought that he had heard, cannot be doubted: but it is unsafe to record things stated in seasons of great political excitement.

The legislature of *Tennessee*, which passed a law taxing heavily any branch of the bank of the United States which might be established in that state, repealed that law, in order to have a branch, and obtained one. In *Mississippi*, resolutions have passed the legislature asking the establishment of a branch in that state, and withdrawing former resolutions against the bank.

Walter Bowne, esq. has been re-elected mayor of New York.

The Osages and Pawnees have had a severe battle on the upper Arkansas. The former gained the victory, killing 18 of the latter, and bearing off their scalps. The Pawnees appear to have made the first attack. The Osages fought with guns, and the Pawnees with spears and battle axes. The loss of the Osages was 2 killed and 8 wounded. No prisoners were taken on either side.

Ebenezer Lane has been elected a judge of the supreme court of Ohio, by a majority of three votes over Reuben Wood. Mr. Lane supplies the place of Mr. Hayward, lately appointed commissioner of the general land office, at Washington.

Two persons have recently had a public dispute in a church in New Jersey, as to certain points in Christian faith, which they both professed to hold, though in *deadly* opposition on these points. We wish that there was less talk and more practice, in the perfect *charity* of the Christian dispensation. We hate to hear of a pair of parsons standing in the character of gladiators. But, like the lawyers, too many of them "live" by starting and maintaining objections, to persons and *points*.

Died, at the Winebago lake, in the early part of November last, *Four Legs*, a distinguished chief of the Winnebago nation. He was an active, intelligent man and an able orator. He generally appeared to feel the stateliness of *high rank*, and aimed to maintain the majestic grandeur and dignity of his exalted station. [How nobly would he have walked into the hall, if a member of congress!]

Thirteen thousand eight hundred and thirty-three letters were received at the New York post office from Europe, on the 26th, 27th and 28th ult. Several of the packets brought more than 2,000—one 2,725.

Rochester, N. Y. has exported 529,725 barrels of flour in two years and an half, ending 1st December last.

In one year to August 12, 1829	88,374 bbls.
1830	235,216
Aug. 12, 1830 to December	206,135

Of all which about 40,000 barrels were sent down the lake.

From a report recently made to the senate of North Carolina, by a committee appointed to enquire into the subject, it appears, that the amount of dividends and bonus declared by the several banks of that state, from 1810 to 1830, is as follows:

By the State bank,	$2,183,670 50
By the bank of Newbern,	967,950 00
By the bank of Cape Fear,	873,714 54
	$4,025,335 04

The injury sustained by the bursting of one of the locks of the Louisville and Portland canal, does not appear so serious as when first reported.

The "coal fields" of Pennsylvania are more valuable than the cotton fields of South Carolina—by the aid of roads and canals. New "fields" are every week discovered, and in parts easy of access. In Baltimore, at present, perhaps the cost of a coal fire is equal to one of wood, for the latter is very cheap with us; but the former saves much time, and is the least dangerous. The anthracite makes a lively and beautiful fire, and is passing into common use.

Dr. Jemison, surgeon's mate on board the U. S. ship Java, lately died in the Mediterranean. He belonged to the Seneca tribe of Indians, in New York, but was the grandson of a white woman. He was much respected as a gentleman and a physician, and died universally lamented.

A man named Curtis Clay, (a native of Philadelphia), has had the address to abduct from the bank of Louisiana, checks, that had been paid, to the amount of 9,000 dollars, and manage their second payment. He obtained entrance into the bank clandestinely, but had been regarded as a respectable man.

A third trial, we believe it is, has been made to elect a member of congress from one of the districts of Vermont, and failed. The votes were for Mr. Swift 2,227, Allen 2,169, Bailey 1,869.

The election of a member of the legislature of Virginia, from Orange county, has been contested with great earnestness. Mr. Barbour, late minister in England, received 410 votes, and is elected—Mr. Davis, his opponent, had 404. It will be recollected that Mr. B. was before returned, that his seat was contested, and the matter again referred to the voters of the county. Mr. Madison and judge P. P. Barbour again attended the polls, and voted for Mr. Barbour.

Mr. Wilkins, lately elected a senator of the United States from Pennsylvania, (a gentleman of superior talents and great integrity of character, and really in opposition to what were the wishes of the politicians of that state), has lately declared a personal attachment to the president of the United States, which it was well known that he entertained. There is not a more decided friend to the "American System" than Mr. Wilkins, and he will give a powerful support to it.

Much doubt has existed as to the political feelings of Mr. Buckner, recently elected to the senate of the United States from Missouri; and the following notes from him have been published—

House of representatives, Dec. 1, 1830.

Dear sir: In reply to yours of 30th ult. inquiring of me my views of the American System, to wit: tariff, internal improvements, &c. and the southern nullification, I have to say, that I believe in the right of congress to make internal improvements. I am in favor of a protection to our domestic manufactures by tariff laws, and I am opposed to the nullification doctrine and party.

I am respectfully your friend, &c.

A. BUCKNER.

"*To the editor of the Jeffersonian.*

"SIR: In the last number of the 'Times,' I observed a paragraph, stating that, previous to the late senatorial election, I had given pledges to the friends of Mr. Barton, and declared myself to be a friend of Mr. Henry Clay, and opposed to the proscription of the present administration, (basely intending to say that I am pledged to oppose the administration of president Jackson.) All this is clearly a mistake, as every body at this place can testify. I was supported as the supporter of the said administration.

"I hope the editor of the 'Times' will do me the justice to correct this imputation.

"You will oblige me by giving the above a place in your paper.

I am, respectfully yours, &c. A. BUCKNER."

[It will be recollected, that it was the friends of Mr. Barton who elected Mr. Buckner, at the first ballot, joined by some of his personal friends, or those who most strongly adhered to his well known principles on the great points of national policy.]

The "Indiana Republican" says—by a letter just received from our correspondent at Indianapolis, we are enabled to say, that the hon. *Wm. Hendricks*, was on the 18th inst. re-elected senator in congress from this state for six years, from and after the 3rd of March next, when his present time will expire. Mr. Hendricks is friendly to domestic manufactures, internal improvements and *Henry Clay*. He was chosen on the 4th ballot. The following is a statement of the several ballots:

	1st.	2nd.	3d.	4th.
Wm. Hendricks,	31	34	40	44
Ratliff Boon,	26	28	24	26
John Law,	12	11	13	9
Charles Dewey,	9	7	3	3
Scattering,	4	3	2	0

Messrs. Hendricks, Law and Dewey, were run as friendly to Mr. *Clay*, and Mr. Boon as the friend of gen. *Jackson*.

Daniel Sheffey, esq. formerly one of the most *useful* members of congress, and, at that time, and since, one of the most distinguished of the Virginia bar, whose decease has left a void not easily filled, and to whose memory the highest courts in Virginia have offered the most respectful tributes—like *Roger Sherman*, (who signed the declaration of independence, and was one of the soundest members of the congress of 1776), was a *shoe-maker!* How must the aristocracy in congress be *horrified* with this fact—let *them* be *derived* from whence they may! "Let the galled jades wince," and the mushrooms be dissolved!

Mr. John Randolph once alluded to the *misfortune* of Mr. Sheffey, that he had been a mechanic!

The Knoxville Register says, the directors of the old bank of the state of Tennessee committed to the flames upwards of a million of dollars, of the notes of that respectable institution, preparatory to a final close of the concern.

Capp's gold mine, in North Carolina, is now powerfully worked by a company, with 38 negro hands and se-

veral white persons, having a 14 horse power engine, working two mills to grind the ore and pump the water out of the mine from a shaft 90 feet deep—so it seems that the precious metal is found at a great depth. The weekly product of gold is from 800 to 900 pennyweights, and the current expenses 125 dollars.

The present price of the Baltimore and Ohio rail road stock is twenty-two dollars fifty cents, for 25 paid. The directors have lately declared a dividend, as the profits on the capital vested in the part of the road which has been for some time in use.

Mr. Thomas Ewing has been elected a senator of the United States from *Ohio*, for six years from the 3d March next, in place of Mr. Burnett, who declined a re-election. The vote was for Mr. Ewing 54, Mr. King 2—both "Clay men;" for Micajah Williams (Jackson) 51.

Mr. John C. Wright, formerly of congress, has been elected a supreme judge of the state of Ohio, obtaining 54 votes, and Mr. Moses T. Kirby was elected secretary of state by 66 votes. These are both "Clay men."

There are strange things said of attacks upon females in the streets of New York, of evenings, if alone. An idea prevails that they are designed to be carried off and murdered, to supply the doctors with subjects to lecture on—after the fashion that prevailed in Edinburg, some time ago! We cannot apprehend this—but some grand scoundrels appear in the streets.

FOREIGN INTELLIGENCE.

The *John Jay* packet ship arrived at New York, from Liverpool, on Sunday last, and brings papers to the 8th ult from that port, and of the 7th from London, which, says the New York American, remove much of the anxiety respecting a continental war. The speeches of M. Lafitte and Soult shew a resolute determination on the part of France to observe strictly the principle of *non-intervention* herself, and to insist upon its observance by other nations. France has, as is stated, declared categorically, that she will not herself interfere in the affairs of Belgium, but that if a single Prussian soldier sets foot, by the order of his government, in Belgium, France will immediately advance her armies. The *London Courier* maintains that in the great question now agitating Europe, the interests of France and England are the same. The *Journal du Commerce* is assured that a treaty of alliance offensive and defensive, between France and England, was signed in London on the 24th November, which treaty had been presented to Louis Philip for ratification. The *Messenger des Chambres* asserts that no such treaty had been made, and adds that the emperor of Russia had addressed a circular to the different courts of Europe, in which he states that no Russian soldiers shall pass the frontiers except with the approbation of those powers, with whose concurrence lord Ponsonby was to proceed to Belgium to negotiate. The report made to the French house of peers on the 29th Nov. by the *count de Bastard*, exonerates the ex-ministers from any participation in the conflagrations that desolated some of the departments of France, and especially acquits prince Polignac. The French journals hail the dismissal of the Wellington ministry as an imitation of the French revolution of three days. M. *Lafitte*, chief of the ministers, declared in the chamber of deputies, on the 1st December, that the interests of nations require tranquility: for if their greatness *may* result from war, their prosperity depends solely upon peace, and expressed a hope that "precious peace" would be preserved. The throne of Louis Philip, he declared, had been "raised by the powerful moderation of France, and was immediately greeted by all the enlightened moderation of Europe;" that it had "been thus proved that the experience of these latter times has been common to princes and to nations." "The events accomplished in a neighboring state may have caused a general crisis to be apprehended, and this apprehension explained the armaments which had been made with views of security, and not of attack." He stated that the government of France had received satisfactory explanations relative to these armaments. France would soon have in addition to her fortresses, 500,000 well armed men—a million of national guards would support them, and if necessary the king would place himself at their head, and they would march linked together, strong in their rights, and in the force of their principles. But he would repeat it, peace was infinitely more profitable than war. The minister of war called for a levy of 80,000 men. The commissioners of the five great power were at Brussels fixing the terms of the armistice, which would depend on the boundary claimed by the Belgians. The greatest enthusiasm prevailed in Paris on the subject of the national defence. The king of Holland had not lost all hopes of recovering Belgium—his hopes were not, however, well founded. The citadel at Antwerp was daily receiving supplies. Fresh disturbances had taken place at Weimar. The duke Charles of Brunswick was at Futda, negotiating the price of his abdication. The Prussian troops assembled in the provinces of the Rhine amount only to 35,000. It appears that the commissioners of the five powers had fixed upon the terms of the armistice between the people of Belgium and the king of Holland, and that the latter had acceded to the conditions thereof, and issued orders, accordingly, on the 22d and 24th November, to the Dutch troops to suspend hostilities. Prince Leopold was talked of as king of Belgium, and it was said he would marry one of king Louis Philip's daughters. A letter from Rome of the 26th November represented *pope Pius* the 8th at the point of death—the gout had ascended to his stomach. The pontificate had been put into commission. The general in chief, Clausel, had despatched a detachment of troops from Algiers to chastise the insolence of the bey of Titery, who is at Mediah.

A plan has been suggested in England, to reduce the salaries of all such officers of the customs as receive more than £200 per year. The ministers of England are warmly seconded every where by the people in their projects of reform. The municipal authorities of Scotland are coming forward with zeal in aid of the cause of the people. The disturbances in England are said to have been more serious, than some of the journals were at first willing to admit. At Oundle, an attempt was made to rescue three persons from the police. The mob tore up the pavement and wounded several of the police. A patrol of inhabitants assisted the police, by which means they were able to lodge the prisoners in jail. In Northamptonshire, Kent, Huntingdonshire, Lincolnshire, Wiltshire, Cambridgeshire, Bedfordshire, Suffolk, Dorsetshire, Hants, Middlesex, Norfolk, Sussex and Somersetshire, the disturbances have been alarming, and many arrests have taken place. The distress in *Ireland* is extreme. Ten or eleven thousand persons are represented as being in a state of starvation in St. John's parish, Limerick, and over 14,000 in St. Mary's in the same city. The Limerick Post states the number of *utterly destitute* in that city to be 30,000.—The village of Armath has been destroyed by the Orangemen—but no lives were lost, the inhabitants having fled.

A subsequent arrival brings intelligence one day later. The regency bill has passed the house of lords and has had one reading in the house of commons. Lord Althorp gave notice in the house of commons on the 7th ult. that he should, on the Thursday following, move for the appointment of a committee to inquire into what reductions could be made in the salaries of all officers holding places under the crown, during pleasure, such places being filled by members of parliament.

MISCELLANEOUS FOREIGN ARTICLES.

Lord Glentworth is appointed governor of New South Wales. This is becoming a populous and valuable colony.

The duke of Sussex has been elected president of the royal society, by a majority of eight votes over Mr. Hershel; for the duke, 119, for Mr. Hershel, 111. The Times, remarks, "the first scientific establishment in the empire has obtained a prince and missed a philosopher."

A ship was fitting out at Algeirs to convey the Turks to Mecca. The general has caused notice of it to be given to all the inhabitants of the regency, and it is thought that this circumstance will rid the French of many turbulent spirits.

A London paper, the "Morning Chronicle," says—The parish of Oakingham, the tithes of which belong to the see of Salisbury, were let a few years ago for about £400 a year, whereas, Mr. Crabtree, sir Francis Burdett's steward, now rents them for £1,500 a year. On Wednesday afternoon a meeting was held of the magistrates of the Reading division in that town, for the purpose of considering in what manner the disturbances could be arrested. All the persons of any consideration in the neighborhood had received letters from *Swing*. The state of the poor in Berkshire, according to our informant, is miserable beyond description. The grocers and general leaders, who have had but too many opportunities of knowing the situation of the laboring poor, are witnesses of dreadful scenes. All sorts of garbage are sold to them, and food is devoured with eagerness which no gentleman would allow his dogs to touch. The rancid scrapings of Irish butter are purchased and greedily devoured. One half of the laboring people do not touch animal food once a week. The distress of the people is so much felt by the tradesmen that they see nothing but ruin before them. Our informant was present at the fire on Mr. Green's premises. The laboring people showed no want of will to extinguish it; but they were a set of miserable looking creatures, underfed, feeble, without shoes, and altogether in a shocking plight. Mr. Clive ascended a ladder placed against a rick, and addressed them in a tone that seemed to indicate dissatisfaction with their efforts; but our informant conceived that their want of energy was rather the result of feebleness than want of good will. The population, he says, is every where redundant. The enclosure of Windsor forest added greatly to the distress of the poor. This took place during the war, when prices were high. A number of farmers sunk capital on the lands at the time, and abandoned the cultivation when prices fell, leaving the unemployed poor a burthen on the parishes. To show what must be the privation of the laborers, he instanced a ploughman on the farm of a great cultivator, who had a wife and six children, and received in all ten shillings a week, out of which he had to pay his cottage rent of £3 a year; clothes and shoes, of course, can only be obtained by begging.

The distress of the agriculturalists, and the much depreciated value of land, have been mentioned in parliament. Thousands of wretched beings seeking employment that they may obtain bread, and, not finding either, seem desperate.* And yet wheat bears a price equivalent to more than 160 cents for the American bushel of which is 60 lbs. The account from the Morning Chronicle, was said to be the "official journal" may serve as a general indication of the state of the people. The following proclamation presents a sad picture of their condition—

BY THE KING—A PROCLAMATION.

William R. Whereas, great multitudes of lawless and disorderly persons have for some time past, assembled themselves together, in a riotous and tumultuous manner, in the counties of Wilts, Kent Sussex, Surrey, Hants, and Berks; and for the purposes of compelling their employers to comply with certain regulations prescribed by themselves, with respect to the wages to be paid for their labor, have had recourse to measures of force and violence, and have actually committed various acts of outrage in different parts of the counties above-mentioned, whereby the property of many of our good subjects has in several instances been wholly destroyed, and their lives and property are still greatly endangered:—

We, therefore, being duly sensible of the mischievious consequences which must inevitably ensue, as well to the peace of the kingdom, as to the lives and properties of our subjects, from such wicked and illegal practices, if they go unpunished; and, being firmly resolved to cause the laws to be put in execution for the punishment of such offenders, have thought fit, by the advice of our privy council, to issue this proclamation, hereby strictly commanding all justices of the peace, sheriffs, under-sheriffs, and all other civil officers whatsoever, within the said counties of Wilts, Kent, Sussex, Surrey, Hants and Berks, that they do use their utmost endeavours to discover, apprehend, and bring to justice, the persons concerned in the riotous proceedings above mentioned.

And as a further inducement to discover the said offenders, we do hereby promise and declare that any person or persons who shall discover and apprehend the authors, abettors, or perpetrators of any of the outrages above mentioned, so that they, or any of them, may be duly convicted thereof, shall be entitled to the sum of 50*l.* for each and every person who shall be so convicted, and shall also receive our most gracious pardon for the said offence, in case the person making such discovery as aforesaid shall be liable to be prosecuted for the same.

And whereas, certain wicked incendiaries have secretly by fire, in parts of said counties, destroyed the corn, hay, buildings and other property of our subjects, we do hereby promise and declare that any person or persons who shall discover and apprehend, or cause to be discovered and apprehended, the authors of said fires, so that they, or any of them, may be duly convicted

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*We have long and doleful histories of their doings. These are brief notices of some of them—

Canterbury, Monday. About 7 o'clock this morning, a large body of laborers, attended by a concourse of men, women and children, paraded the streets of this city, and proceeded to the city workhouse, where they made a demand for either work or a sufficient maintainance for themselves and families. The guardians of the poor were much alarmed at this demand.

Boxley. In this parish, which is within four miles of Maidstone, the tithe audit was fixed for Thursday last, and the clergyman, as usual, had provided a dinner for about 90, from whom he expected to receive his usual amount of tithe, but, to his great disappointment, not more than 40 attended, consisting of the principal and most solvent of his tithe-payers—not to partake of his dinner, but to offer one half of the sum which they have been in the habit of paying him for some years past. The rev. gentleman refused receiving it, and the farmers returned home, leaving the vicar to partake of his dinner solus.

Sturry. On Monday morning at an early hour, laborers, to the number of at least 80 or 90, met in the parishes of Sturry and Westbene, and, proceeding from farm to farm, forced any man to join their body who did not receive wages to the amount of half a crown a day, which they had fixed on as the minimum. In many instances they were unsuccessful, as the workmen refused to accompany them. The same night a burning took place in that vicinity, at Munster.

Staplehurst. The farmers here have adopted a petition to parliament; it contains the following remarkable passage, after enumerating the attempts made since the peace to obtain a reduction of tithes and taxes. "It was then that we found ourselves compelled to reduce the price of labor, and we have seen our peasantry deprived of the comforts, and in fact the necessaries of life, without the means of alleviating their condition. Nevertheless until now the oppressed laborer has borne his load, complaining, but not resisting; but the time has arrived when he will bear it no longer. Desperation has urged the laborers of this and neighboring parishes to rise and congregate. They have surrounded the houses of your petitioners in fearful numbers, claiming at our hands that which we believe to be their right, and which we have felt it our duty and interest to give. We have increased their wages, and now with our augmented burden, (insupportable before), we approach your honorable house. We tell you in language respectful, yet plain, that our burdens are such that we can bear them no longer." They then pray for practical parliamentary reform, "and the appropriation of such part of the church property as is not absolutely necessary for the liberal support of the clergy, and according to their several stations and merits, to the exigencies of the state."

A melancholy proof of the distressed state of agriculture in Buckinghamshire is furnished by the fact that the entire parish of Wotton Underwood, (with the exception of a small farm belonging to another individual), comprising about 2,300 acres of land, the property of the duke of Buckingham; is advertised to be let, the tenants either having left, or given notice to quit.

[*Brighton Herald.*

thereof, shall be entitled to the sum of 500*l.* for each and every person who shall be so convicted, and shall also receive our most gracious pardon, (except the actual perpetrator of any of the said fires), in case the person making such discovery shall be liable to be prosecuted for the same.

And the lords commissioners of the treasury are hereby required to make payment accordingly of the said rewards.

Given at our court at St. James's this 23d day of November, 1830, in the firt year of our reign.

God save the king.

Field-marshal de Wrede, so well known in the war of 1814, is gone to pass a week at Munich, at the desire of the king, where his presence has excited great astonishment, as he lived until now without taking any part in public affairs.

It is understood that the duke of Wellington will support the present administration; a determination which we consider more strongly indicative of his grace's love of country than even the most brilliant of his military achievements. [*Court Journal.*

We have heard, but cannot affirm positively, that lord Anglesea will be the last lord lieutenant of Ireland, and that his appointment is but a preliminary to the almost immediate abolition of that ancient but worn-out, rank. [*Morning paper.*

The coronation of the king of England, it is said, will take place at the latter end of March next.

It would appear, from various accounts, that the attempts of Mina and others to accomplish a revolution in Spain, have, at least, failed for the present. Mina, himself, was carried sick to Bayonne.

A letter received yesterday from St. Petersburg, by a respectable commercial house, states that the cholera morbus at Moscow, far from diminishing, is rapidly on the increase. Out of 200 who were attacked daily with this complaint, 100 died in the course of 24 hours.

Sir Robert Peel has declined a peerage which was offered when he tendered his resignation, but asked that a brother-in-law might be made a privy councellor, which the king granted.

Lord Brougham is sharply attacked in several of the London papers, because that he has become a lord. At the rising of the court of king's bench on the 27th, Mr. Brougham took his leave of the bench and the bar. The judges paid their respects to the station to which Mr. Brougham had been elevated, by rising to return his obeisance, and the bar unanimously rose to pay him the same respect on his quitting the court.

The lord chancellor, (Brougham), has published an address to his late Yorkshire constituents, in which he says—"I need hardly assure you that this event, (his elevation to the woolsack), which in many other respects can only be the source of gratification, has given me a bitter pang, by rending asunder those ties which bound me to Yorkshire, and were at once the reward and pride of my life. But I shall have the satisfaction to know, that, in serving the king, I shall serve the people, over whom he bears a mild and truly constitutional sway; and that with his majesty's approval, I am joined to colleagues whose principles give the surest pledge of a wise and virtuous administration of affairs. With them I shall labor unceasingly for peace—peace abroad and peace at home—for the reduction of all unnecessary expenditure—for such reforms as the admitted defects in the representation and in other branches of our civil polity may demand; and firmly resolved, while we aim at improving the laws, to make them alone more strictly obeyed, we shall look with confidence for the support of our fellow-citizens."

A question has sprung up on the subject of the abolition of rotten boroughs, whether the proprietors of such places ought not to be indemnified on their disfranchisement. We have frequently been called upon by letter to give our opinion upon this point, and shall therefore give it frankly. We answer, yes: they ought to be indemnified; and we will give an instance in point. A noble lord is said to have just paid to an honorable baronet upwards of £150,000 for a rotten borough, not far from town. The affair is indeed so public, that the house of commons is at once disgraced if it does not take it up. And the proper way to indemnify his lordship and those of whom he has bought the borough, is by sending them all to Newgate for a breach of privilege. This is the way in which we would indemnify all the dealers in the rights of the people for the loss of their infamous trade.

[*Times.*

A steam-boat, the Forbes, from Calcutta, has visted China, and wonderfully alarmed "the natives." This is fine fun for John Bull—but on his first visit to the Chesapeake-bay in the late war, when off the Patapsco, he was as much alarmed by the appearance of a steam boat—the *old* "Chesapeake" as were the Chinese. He thought it was a torpedo!

In the province of Canton a murder had been committed on a spot which lies on the boundary between Linton district and Hong-Kong; i. e. between the Sin-gan and Tung-Kwan districts. The local magistrates quarrelled about the responsibility, and subsequently the governor ordered a new survey and maps to be made out, in order to decide which party is responsible, and liable to account for the crime.

Prince Gustavus Vasa, son of the ex-king of Sweden, is about to marry a princess of Baden. "His royal highness" is miserably poor. It is hoped that his wife, that is to be, will have some money! But Mlle. Sontag is said to have realized the sum of 180,000 francs by her concerts at Warsaw, Moscow and St. Petersburg. So great is the difference between *blood* and *voice*.

The following is given as a copy of the letter of the emperor of Russia to the king of the French, about which much has been said in the papers.

"I have received from the hands of general Athalin the statement, of which he was the bearer, of the events forever to be deplored which placed your majesty in a cruel alternative. Your majesty adopted the only resolution which appeared calculated to preserve France from great calamities. I shall say nothing of the motives which guided you on that occasion; but I offer up my ardent prayers to Divine Providence to bless the designs of your majesty, and your efforts for the well-being of the French people.

"In concert with my allies, I receive with satisfaction the desire expressed by your majesty, to maintain the relations of peace and friendship with all European states. As long as those relations shall be founded on existing treaties, and on the firm determination to maintain the rights and obligations solemnly recognized by them, as well as the territorial possessions, Europe will see in you a guarantee of the peace which is so necessary, even for the repose of France. Invited, conjointly with my allies, to continue with France, under her new government, those conservative relations, I shall zealously, on my part, employ all the cares which they require, and I shall unceasingly manifest the sentiments of sincerity which it gives me pleasure to express towards your majesty, in return for those which your majesty has expressed towards me.

"I beg your majesty to receive, &c."

INDIAN RIGHTS.

Mr. Jefferson, in a letter to gen. Knox, secretary of war, dated Philadelphia, August 10, 1791, declares:

"*The Indians have a right to the occupation of their lands, independent of the states within whose chartered limits they may happen to be,* that until they cede them by treaty or other transaction equivalent to a treaty, *no act of a state* can give a right to such lands; that neither under the present constitution, nor the ancient confederation, had any state or person a right to treat with the Indians without the consent of the general government; that the *government is determined to extend all its energy for the patronage and protection of the Indians:* and that if any settlements are made on lands not ceded by them, *without the previous consent of the United States,* the government will think itself bound, not only to declare to the Indians that such settlements are without the authority of the United States, *but to remove them also by the public force.*" [*Jefferson, 3d vol. p.* 201.

GEORGIA AND THE CHEROKEES.

We have refrained, and mainly because of the room that it would occupy, from doing more than to publish a few of the official papers which related to the interesting question at issue between Georgia and the Cherokee nation, resident within the territorial limits of the state. Georgia being one of the original states, and as such having made a special compact with the United States concerning her territory, as occupied by the Indians—has relations on that subject of a peculiar character, though involving many most delicate and difficult points, seemingly opposed in their principle and to be rightfully adjusted only by the exercise of great moderation by all parties. The exceeding desire of Georgia to extend her sovereignty over the lands of the Cherokees, stirred up in them a spirit of resistance, and issue is now about to be joined between them.

We have called the relations delicate and difficult. The United States by the compact with Georgia agreed to extinguish the Indian title to all the Indian lands within the territorial limits of the state, so soon as it could be accomplished in a peaceable manner by bargains, or treaties, made with the Indians—but in repeated treaties with the Cherokees for cessions of land, gave a "*solemn guaranty to the nation of all the lands not thereby ceded*," and such treaties must be binding on the United States; and it would appear, from a close examination of the proceedings both of the executive of the United States and of Georgia, that the point at which the rights of the Indians end—to which those of Georgia proceed, or the duties of the United States extend, are all involved in doubt: for, in many respects, certain of those proceedings seems directly opposed to one another!—and the special pleading about them, has involved the whole subject more and more deeply in confusion. In this state of the case—and seeing that Georgia has no present use for the land, and is about to waste it by a lottery when obtained, forbearance should have been exerted, and all that the state wished would, no doubt, have been accomplished without force, as soon as the press of population should have needed the acquisition of more land from the Indians—and then such land would have had an exceedingly enhanced value to the state. But we cannot enter upon this discussion, for the reason stated, and shall content ourselves with giving some of the leading documents, on either side, concerning it.

The following offers a most unpleasant view of the present state of the subject. The injunction of the chief justice, doubtless, issued because of the treaties between the United States and the Cherokees above alluded to.

LEGISLATURE OF GEORGIA.

House of representatives, Wednesday, December 22.

The following communication was received from the governor, which, after being read, with the accompanying document, was referred, on motion of Mr. Haynes, to a select committee, composed of Messrs. Haynes, Beall, of Twiggs, Howard, of Baldwin, McDonald, and Schley.

Executive department, December 22, 1830.

I submit to the legislature, for its consideration, the copy of a communication received this day, purporting to be signed by the chief justice of the United States, and to be a citation of the state of Georgia to appear before the supreme court, on the second Monday in January next, to answer to that tribunal for having caused a person who had committed murder within the limits of the state, to be tried and convicted therefor.

The object of this mandate is to control the state in the exercise of its ordinary jurisdiction, which, in criminal cases, has been vested by the constitution exclusively in its superior courts.

So far as concerns the exercise of the power which belongs to the executive department, orders received from the supreme court, for the purpose of staying, or in any manner interfering with the decisions of the courts of the state, in the exercise of their constitutional jurisdiction, will be disregarded; and any attempt to enforce such orders will be resisted with whatever force the laws have placed at my command.

If the judicial powers thus attempted to be exercised by the courts of the United States, is submitted to, or sustained, it must eventuate in the utter annihilation of the state governments, or in other consequences not less fatal to the peace and prosperity of our present highly favored country.

(Signed) GEORGE R. GILMER.

UNITED STATES OF AMERICA, *ss.*

To the state of Georgia, greeting:

You are hereby cited and admonished to be and appear at a supreme court of the United States, to be holden, at Washington, on the second Monday in January next, pursuant to a writ of error, filed in the clerk's office of the superior court of the state of Georgia for Hall county, in the county of Hall, wherein George Tastle, alias George Tassles, alias George Tassel, alias George Tassle, alias George Tasslle, is plaintiff in error, and the state of Georgia is defendant in error, to shew cause, if any there be, why judgment rendered against the said George, as in the said writ of error mentioned, should not be corrected, and why speedy justice should not be done to the parties in that behalf.

Witness the honorable JOHN MARSHALL, chief justice of the said supreme court of the United States, this 12th day of December, in the year of our Lord, 1830.

(Signed) J. MARSHALL, *ch. just. of the U. S.*

The committee to whom the above had been referred, made the following report, which was agreed to by the house, and concurred in by the senate:

Whereas, it appears by a communication made by his excellency the governor to this general assembly, that the chief justice of the supreme court of the United States has sanctioned a writ of error, and cited the state of Georgia, through her chief magistrate, to appear before the supreme court of the United States, to defend this state against said writ of error, at the instance of one George Tassels, recently convicted in Hall superior court, of the crime of murder.

And whereas, the right to punish crimes against the peace and good order of this state, in accordance with the existing laws is an original and a necessary part of sovereignty which the state of Georgia has never parted with.

Be it therefore resolved by the senate and house of representatives, &c. That they view with feelings of the deepest regret, the interference by the chief justice of the supreme court of the U. States, in the administration of the criminal laws of this state, and that such an interference is a flagrant violation of her rights.

Resolved further, That his excellency the governor be, and he, and every other officer of this state, is hereby requested and enjoined, to disregard any and every mandate and process that has been or shall be served upon him or them, purporting to proceed from the chief justice or any associate justice of the supreme court of the United States, for the purpose of arresting the execution of any of the criminal laws of this state.

And be it further resolved, That his excellency the governor be and he is hereby authorised and required, with all the force and means placed at his command, by the constitution and laws of this state, to resist and repel any and every invasion from whatever quarter, upon the administration of the criminal laws of this state.

Resolved, That the state of Georgia will never so far compromit her sovereignty, as an independent state, as to become a party to the case sought to be made before the supreme court of the United States, by the writ in question.

Resolved, That his excellency the governor be, and he is hereby authorised, to communicate to the sheriff of Hall county, by express, so much of the foregoing resolutions, and such orders as are necessary to ensure the full execution of the laws, in the case of George Tassels, convicted of murder in Hall county.

In reference to the proceedings just above given, the *United States Telegraph* of the 3d inst. has the following paragraph. It is the subject of some powerful remarks in the *National Intelligencer*, as to the principles and duties of the supreme court. A vital question is at issue.

"We congratulate the friends of state rights upon the case, and the manner in which Georgia has been cited to the bar of the supreme court. The time too is auspicious. The spirit of liberty and reform is abroad upon the earth, and the position in which the supreme court

is placed by the proceedings of Georgia, demonstrate the absurdity of the doctrine which contends, that that court is clothed with supreme and absolute control over the states."

—

The following remarks, with an extract from a law which has passed the legislature of *Georgia*, shews a moderated feeling as it regards the Indian lands—and would lead to a hope that, time being allowed for reflection, the governor will suspend operations on the principles of the resolutions adopted, as to the Indian found guilty under the laws of Georgia for an offence committed in the "Cherokee nation"—so called in various treaties with the United States.

Milledgeville, Dec. 25. The legislature adjourned *sine die* on Thursday morning last, after a session of nine weeks, the longest, we believe, ever known in this state. The act for the survey and distribution of the lands in the occupancy of the Cherokees, one of the chief measures of the session, will perhaps undergo the revision and correction of the next general assembly. The shape in which it has passed cannot reasonably give offence, even to those who affect to feel most sympathy for the Indians. It authorises for the present, merely the survey of the Indian territory into sectional districts, which, besides preparing the country for the immediate operation of the district surveyors, after the compact between the United States and Georgia shall have been fulfilled, will, in the mean time, enable the state to enforce her jurisdiction and laws more effectually over the Cherokees, by the appointment of civil officers within the several sections; the preparatory surveys may also furnish additional information as to the extent of the gold region in that quarter. The bill passed the house of representatives in a shape to create apprehensions that the enforcement of its provisions might produce collision between the state and general government. Its modification, in senate, by the addition of the following section, leaves no cause to anticipate any such unpleasant result:

"*And be it further enacted by the authority aforesaid,* That the sectional surveyors shall, with as little delay as possible, proceed to the performance of the duties assigned them, under this act; and on the completion and return thereof to the surveyor general, the governor is authorised and requested to direct the election of two justices of the peace and two constables, being white men, resident in said territory, in every such section, to be held at such time and such place, to be superintended and returned to the executive by such person or persons, in every of such sections, as his excellency shall direct, which justices and constables shall respectively take the oath and execute the bond required by law, and shall hold their commissions and appointments as now directed by law; and that all white males of full age resident in said territory, shall be entitled to vote for such justices and constables.

"And in the event that the president of the U. States shall at any time during the ensuing recess of the legislature, succeed in executing the compact between the United States and the state of Georgia, in relation to the Cherokee lands, then the governor shall order the district surveyors to proceed to the discharge of their duties, and to the completion of the survey of the districts, as required by this act, and the occupancy of said territory—otherwise the survey of said districts shall be suspended until the meeting of the general assembly, and until further enactments for this purpose."

—

The moderated feeling above alluded to, may, in part, have grown out of the following communication from governor Gilmer. It contains matters that ought to be recorded.

Executive department, Dec. 8, 1830.

"From information received from various sources, it is believed that the efforts of the president to remove the Cherokees from within the limits of the state, would be essentially aided by the passage of resolutions by the legislature, giving its assent to the president's granting to the Cherokees, fee simple reserves, in any treaty or contract which he may make with them. It is known that there are two classes among the Cherokees very widely separated from each other. One consists of white men, with Indian families, and the half breeds. This class has both wealth and intelligence, and by its influence now controls the tribe. Most of those who belong to it are qualified to discharge the duties of citizens, and some of them are said to be desirous of becoming members of our community, provided they can have secured to them fee simple titles to reasonable portions of their lands. Others would be willing to remove with the tribe beyond the Mississippi, if they could receive lands in the same way, so that they might be enabled to sell them for their value, either to individuals or to the United States. They are now or soon will be convinced, that the love of power cannot be gratified, if their tribe remains in its present situation. If therefore, their cupidity can be satisfied, the chief difficulty to their removal will be overcome. The other class of Cherokees are composed of the unmarried aboriginal people, deprived of their former pride of character, and love of enterprise, debased into slavish dependants upon their wealthy chiefs, and corrupted by the degrading vices which they have contracted from their intercourse with vicious white men. It is believed that this entire class would willingly remove to the country prepared for the tribe by the United States' government, upon the terms which are now offered, if the consent of their principal men could be obtained.

"The president cannot offer to their principal men reserves in fee simple title to the lands which they occupy in Georgia, as the lands, which they occupy in Georgia, belong to the state. For the purpose, therefore, of placing at the control of the president, the means which are believed to be most efficient in making a treaty with the Cherokees, permit me to recommend that you pass resolutions authorising the president to make fee simple reserves to the Cherokees, as has been hitherto done in former treaties, the U. States paying to the state the value of the lands so reserved. Such a measure is due to the Indians who understand the peculiar advantages which their country presents for acquiring wealth, and how to use them for their own benefit. It will aid the president in his efforts to remove the Indians, and if successful in effecting that object, will be of incalculable advantage to the state, in relieving it from its embarrassing relation with the Cherokees.

"Permit me to avail myself of this occasion, to suggest to the legislature the expediency of not interfering with the right of the Cherokees to occupy their territory, as the policy best calculated at this time to obtain their peaceable removal.

"I transmit to the legislature an extract from a communication received from the war department, upon the subject to which this message relates.

GEORGE R. GILMER.

"*Extract of a letter from the secretary of war to his excellency George R. Gilmer, dated,*

"*Department of war, November* 12, 1830.

"Sir,—The treaties recently made with the Indians clearly prove, that a feeling of cupidity governs; and that, to succeed with them, reservations should and must be admitted.—There is no difficulty in this with any tribe except the Cherokees. Georgia having the ultimate fee when the country is acquired, it will not be competent for the United States to grant reservations, as they have done in other cases, and which will be likewise insisted on by the Cherokees, when they come to treat.

"A tranquil and quiet course on the part of Georgia will be of incalculable benefit. It will take away from mistaken philanthropy, all cause of complaint; and our Indians being then deprived of these auxiliaries, will the better be able to reflect on their real and true condition.

"I beg leave to suggest, if Georgia should not sanction such reservations as the United States may think proper to make, upon paying to Georgia a reasonable price for the same, and at given regular periods, such an assent might greatly facilitate the arrangements to be entered into with the Indians."

GEORGIA—AND THE TARIFF.

The following resolutions were moved in the house of representatives of the state of Georgia, on the 10th, as a substitute for certain resolutions of a different character, and were adopted by a vote of 76 to 45:

Whereas, the general assembly of the state of Georgia, at their session in the year 1828, did adopt the following protest:

House of representatives, December 10, 1828.

From a painful conviction, that a manifestation of the public sentiment, in the most imposing and impressive form, is called for by the present agitated state of the southern section of the union:

The general assembly of the state of Georgia have deemed it their duty to adopt the novel expedient of addressing in the name of the state, the senate of the United Sates.

In her sovereign character, the state of Georgia protests against the act of the last session of congress, entitled "an act in alteration of the several acts imposing duties on imports;" as deceptive in its title, fraudulent in its pretexts, oppressive in its exactions, partial and unjust in its operations, unconstitutional in its well known objects, ruinous to commerce and agriculture—to secure a hateful monopoly to a combination of importunate manufacturers.

Demanding the repeal of an act, which has already disturbed the union, endangered the public tranquility, weakened the confidence of whole states in the federal government, and diminished the affection of large masses of the people of the union itself—and the abandonment of the degrading system, which considers the people as incapable of wisely directing their own enterprise—which sets up the servants of the people, in congress, as the exclusive judges of what pursuits are most advantageous and suitable for those by whom they were elected—the state of Georgia expects that, in perpetual testimony thereof, this deliberate and solemn expression of her opinions, will be carefully preserved among the archives of the senate, in justification of her character to the present generation and to posterity. If, unfortunately, congress, disregarding this protest, and continuing to pervert powers granted for clearly defined and well understood purposes, to effectuate objects never intended, by the great parties by whom the constitution was framed, to be entrusted to the controlling guardianship of the federal government, should render necessary measures of decisive character, for the protection of the people of the state, and the vindication of the constitution of the United States.

Resolved, by the senate and house of representatives of the state of Georgia, in general assembly met, That the foregoing protest be signed by the president of the senate, by the speaker of the house of representatives, and by his excellency the governor; and after having the great seal affixed to it, be transmitted by the governor to the senate of the United States.

Approved, Dec. 20, 1828.

And whereas the foregoing protest was, on the 12th day of January, 1829, laid before the senate of the United States, with due solemnity—

Be it therefore resolved, by the senate and house of representatives of the state of Georgia, in general assembly met, and acting for the people thereof, That the state of Georgia, influenced by a sense of forbearance, and respect for the opinions of the other states, and by community of attachment to the union, so far as the same may be consistent, with self preservation and a determined purpose to preserve the purity of our republican institutions, having, in her sovereign character, *protested* against the tariff, and, by inference, against its dependant measure—internal improvements, as being an infraction of the sacred bond of our union—*demanded* its repeal, and in perpetual testimony thereof, deposited that *protest* and *demand* in the archives of the senate of the United States, cannot now, adhering firmly and unalterably, as she does, to the declarations contained in that instrument, descend, without compromitting her honor and dignity as a sovereign and independent state, to the measures of memorial and remonstrance, which, having been patiently resorted to for years, were utterly disregarded, thus compelling her, in justification of her character, to the present generation, and to posterity, reluctantly to adopt the measure herein before recited.

Resolved nevertheless, by the general assembly of the state of Georgia, acting for and in behalf of the people thereof, That this state looks with the deepest solicitude to the re-election of general Jackson to the presidency of the United States, because in that event, we will have a certain guarantee, that he will fearlessly go, as far as his official powers will warrant, "in arresting the profligate expenditure of the public money, extinguishing the public debt as speedily as possible—and in restraining the government to its original simplicity in the exercise of all its functions."

PUBLIC LANDS.

The report of the commissioner of the general land office contains a tabular statement of the quantity of land sold at each of the land offices of the United States, from the 1st of July, 1820, to 31st December, 1829, a period of nine years and a half; from which it appears that the following is the quantity sold in each of the states and territories during that period.

	Acres.	*hds.*
Ohio	1,405,267	73
Indiana	2,169,149	70
Illinois	667,200	44
Missouri	923,506	32
Alabama	1,459,054	78
Mississippi	544,523	82
Louisiana	158,839	35
Michigan	413,209	23
Arkansas	59,899	36
Florida	336,567	50
Total in all the states and territories	8,167,218	23

Of which, there were sold—

In the half year of 1820	303,404	09
In 1821	781,213	32
1822	801,226	18
1823	653,319	52
1824	749,323	04
1825	893,461	69
1826	848,082	26
1827	926,727	76
1828	965,600	36
1829	1,244,860	01
	8,167 218	23

By the report of the commissioner of the general land office, it appears, that during the year ending on the 31st of December, 1829, and the half year ending on the 30th of June, 1830, there were sold 1,906,862 92 acres of land, and the payments into the treasury of the United States have amounted to $2,522,575,

INTERNAL IMPROVEMENT—THE BANK OF THE UNITED STATES.

The annexed letter from the president of the bank of the United States to the chairman of the committee of ways and means of the house of representatives of Pennsylvania, we find in the Sentinel of yesterday. The offer of the bank to loan the state eight millions of dollars, to aid in the completion of her works of internal improvement, and at a time when the finances of the state were depreciating for want of such means, cannot be estimated other than as truly liberal. Such a spirit with regard to internal improvement, has ever been characteristic of their institution, and cannot but meet with the good opinions of the citizens of this state.—*Phil. Inq.*

Bank of the U. States, December 14, 1829.

SIR—I have received and submitted to the board of directors, your favor of the 11th inst. in which you inform me that, as chairman of the committee of ways and means of the house of representatives of Pennsylvania, you wish to ascertain whether the bank of the United States would be disposed to lend that state a sum sufficient to enable her to carry on her improvements, and take the stock of the state, bearing an interest of five per cent. redeemable in twenty-five years from the first of January next.

I am instructed by the board to answer, that they are willing to make such a loan, and take the stock, in case the state shall obtain the assent of congress to the loan.

As your letter does not specify the terms of the loan, it is understood that, as in the previous loans of the state, the stock will be transferable, and the interest payable semi-annually in Philadelphia—and that the disburse-

ments from the bank shall be made as provided in respect to other banking companies, in the 9th section of the "act relative to the Pennsylvania canal and rail road."

Not having learned from you the probable wants of the state, the board have found some difficulty in fixing the extent of the loan; but as their other operations oblige them to be as specific as possible in their engagements, and they understand that six or eight millions of dollars would probably answer the immediate purpose of the state, they have instructed me to name the latter sum as the limit of the proposed loan. You will have the goodness to believe that, in prescribing this limit, or indeed any limit, they are governed by the state of their own funds, and not by any want of the most entire confidence in the resources of the people and the credit of the government of Pennsylvania, from whom the board of directors desire, on this occasion, no pledge beyond the faith of the commonwealth.

I have the honor to be, very respectfully, yours,
(Signed) N. BIDDLE, president.

Garrick Mallery, esq. chairman
of the com. of ways and means, Harrisburg, Pa.

DUTIES—RETURNABLE.

Treasury department, 17th December, 1830.

SIR: The senate having by a resolution of the 26th of May, 1830, directed the secretary of the treasury "to report to the senate within the first week of the next session of congress, a statement shewing the amount that would be returnable to the merchants of the United States, should the bill reported to the senate, from the committee on finance, during the present session, to exempt merchandise imported under certain circumstances, from the operation of the act of the 19th of May, 1828, entitled, 'an act in alteration of the several acts imposing duties on imports,' become a law;" and the department having no means of furnishing the information from its own records, or those of the custom houses, an invitation was given, through the public papers, and by the aid of the collectors, to those merchants who had imported goods under the circumstances mentioned in the bill, to communicate the fact.

The annexed paper, marked A, will shew more particularly, the means adopted and the nature of the information requested.

In consequence of these measures communications have been received from various ports; the result of which is given in the accompanying statement, marked B; by which it appears that the amount returnable, in the event referred to, would be $160,433 32.

It is to be observed, however, that this information is derived altogether from the exparte representation of the individuals interested. The department, having no means of ascertaining their correctness, has not deemed it necessary to do more than extract the sums stated to be returnable.

It is deemed proper to add, that, from the proportion which the amounts appearing to be returnable, at different ports, bear to each other and to the aggregate amount, there is reason to suppose that the statement is incomplete. And this belief is strengthened by the circumstance, that, although the 1st of October last was the time fixed by the department, for the transmission of the statements from the different ports, they have continued to be sent, as well by collectors, as individuals, almost to the present time; several having been received whithin the present week.

I have the honor to be, very respectfully, your obedient servant,
S. D. INGHAM,
secretary of the treasury.

To the hon. the president of the senate.

ARMY OF THE UNITED STATES.

Adjutant general's office, Dec. 8th, 1830.

The subjoined regulation has been received from the war department, and is published for the government of all concerned:—

War department, Nov. 30, 1830.

I. Upon official statements of generals, inspectors general, and commanders of regiments and companies, confirmed by the reports of the medical staff, representing that the habitual use of ardent spirits by the troops, has a pernicious effect upon their health, morals, and discipline, it is hereby directed that from and after the promulgation of this order at the military posts and stations, the commissioners shall cease to issue ardent spirits as a part of the daily ration of the soldier. An allowance in money in lieu thereof will be made by the subsistence department, computing the value of the ration of whiskey at the contract price at the place of delivery. This regulation is not to be so constructed as to interfere with the act of congress, of the 2d of March, 1819, regulating the pay of the army, when employed on fatigue-duty; but all issues upon such occasions may be commuted for money at the contract price, at the option of the soldier.

II. Sutlers are prohibited selling to any soldier a greater quantity than two gills of ardent spirits a day; and that any or any less quantity is to be issued only on the written permission of his commanding officer, who will exercise a sound discretion in reference thereto.

III. No liquor shall be sold or issued before noon, and when procured of the sutler, the soldier shall pay cash therefor at the time of delivery.

IV. The practice of advancing money, and of issuing due bills representing money, by sutlers, or others connected with the army, to soldiers, having also been found detrimental to the interests of the service, it is hereby prohibited.

V. Any sutler who shall offend in one of the above particulars, or who shall receive due bills for any articles sold by him to the soldiers, shall forfeit his appointment, on satisfactory proof thereof being furnished.

J. H. EATON, *secretary of war.*

By order of ALEXANDER MACOMB,
major general commanding the army.
R. JONES, *adj. gen.*

ALABAMA NOMINATION.

The following resolutions were passed by the house of representatives of the state of Alabama, on the 17th ult. Yeas *sixty-four*—nays *seven*.

Mr. Lea offered resolutions approving the conduct of Andrew Jackson, as president of the United States, which after some discussion as to its form, and the propriety, of legislating on such resolutions was finally adopted. The resolutions are as follows:

"Whereas the confidence which the citizens of the state of Alabama, reposed in the wisdom and patriotism of Andrew Jackson, induced them to yield him their almost undivided voice for the presidency of the United States: and whereas his administration has been such as to justify their high expectation, and to enable them to realize all their anticipations, that he would pursue such a course of policy as would advance the interest and redound to the glory of our common country; and whereas, it is believed that the general assembly would perform an acceptable service to their constituents, to recommend him to the good people of the United States for re-election.

Be it therefore resolved by the senate and house of representatives of the state of Alabama, in general assembly convened, That their confidence in the fitness of Andrew Jackson for the office of president of the United States, is increased and strengthened by the republican principles he has introduced into the administration, by the measures he has recommended, and by the just and elevated views he has, from time to time, presented of the true policy of the government.

Be it further resolved, That in their opinion, the best interest of the union requires his re-election, and they, therefore, recommend him to the other states of the union for the office of president, after his present term shall expire.

Mr. Copwood offered the following as an amendment and additional resolution.

And be it further resolved; That the very able, firm and patriotic course pursued by Andrew Jackson, president of the United States, at the last session of congress, in opposition to the passage of the Maysville road bill, and others of like character, requiring appropriations from the treasury of the United States, for local objects of internal improvements, justly entitle him to the highest respect and gratitude of all friends to liberty and free government—which was adopted.

TWENTY-FIRST CONGRESS—2d SESSION.

SENATE.

December 31. Among other proceedings—

Mr. *Sanford* presented a memorial unanimously adopted at a general meeting of the citizens of New York, eloquently urging the justice of liquidating the claims of *James Monroe*, late president of the United States, as set forth in his recent memorial to congress. The memorial, together with the resolutions which accompanied it, was laid upon the table.

Mr. *Barnard* introduced a bill making an appropriation for the improvement of Back creek; it was twice read, and referred to the committee on commerce.

Mr. *Barnard* presented a memorial of a meeting of the citizens of Chester county, Pennsylvania, praying for a repeal of the act passed at the last session, for the removal of certain tribes of Indians west of the Mississippi, and asking the senate to refuse their assent to any treaty made in conformity to that act. The memorial was referred to the committee on Indian affairs, and ordered to be printed.

Mr. *Smith* of Maryland, from the committee on finance, reported a bill repealing so much of the act of the 11th of June, 1796, as imposes a charge of ten dollars for passports, and four dollars for clearances granted to ships and vessels of the United States, bound to foreign ports; and also to repeal the duties on cinnamon, cayenne pepper, cloves, nutmegs, pepper, pimento, ginger and mace, from the 30th day of June next.

The *president* presented a communication from the secretary of the treasury, in reply to a resolution of the senate, calling upon him for information in relation to drawback on the exportation of pickled fish. It was referred to the committee on finance.

Mr. *Woodbury* presented the petition of sundry citizens of Portsmouth, New Hampshire, praying an amendment to the act of last session to reduce the duty on salt. It was referred to the committee on finance.

On motion of Mr. *Tazewell*, the senate resolved itself into a high court of impeachment.

In consequence, it is supposed, of the death of a daughter of Mr. *Wirt*, the leading council of judge Peck, the court of impeachment, on motion of Mr. *Tazewell*, adjourned to twelve o'clock on Wednesday next.

Mr. *Livingston*, submitted the following resolution:

Resolved, That nothing contained in any of the rules for conducting impeachments, made on the eleventh day of May, 1830, shall be so construed as to prevent any senator, when he shall give his vote on the question of guilty or not guilty on any article in an impeachment, from assigning his reasons for such vote.

January 3. The honorable *John C. Calhoun* vice-president of the United States, appeared this day and took the Chair as president of the senate.

January 4*th*. The bill to authorize the equipping and mounting certain companies of the United States' troops, not exceeding ten companies; and the joint resolution for the transmission of public documents, were each read a third time and passed.

The bill for repealing so much of the act of 11th June, 1796, as imposes a charge of $10 for passports, and $4 for clearances granted to vessels of the U. States bound for foreign ports; and also for repealing the duties on cinnamon and other spices, was then taken up, on which,

Mr. *Smith*, of Maryland, observed that although the bill was reported from the committee on finance, the repeal contemplated by the first part was suggested by the report of the secretary of the navy. The 1st section of the act of 1796, which related to passports, was passed when this country was in great want of money, and when passports were necessary to protect the coasting trade. The revenue arising from that source, and the protection which it held out, were no longer objects of any importance. In the next place, the amount received for clearances to foreign ports, it appeared from the same report, only amounted, annually, to some *eleven thousand* dollars, a small trifle at present to the United States. The 2d section of the present bill which went to repeal the duties on cinnamon, cloves &c. was predicated on the report of the secretary of the treasury, from which it appeared no revenue whatever accrued from those duties; that the drawback was greater than the duty, and that it was in reality a losing concern. This being the case, and the former revenues being of no consequence, he hoped there would be no objection to the passing of the bill.

The bill was then read and ordered to be engrossed for a third reading.

January 5. After some minor business—

This being the day to which the trial of judge Peck stood adjourned, and proclamation having been made at 12 o'clock, in the usual manner, the senate was again formed into a high court of impeachment, and the trial resumed. At a few minutes past twelve, the managers for the impeachment, and judge Peck and his counsel, Mr. Wirt and Mr. Meredith, had taken their seats. Mr. Lawless, with the other witnesses on both sides, occupied the benches in the rear of the senator's seats.

Mr. *Meredith* rose to open the defence on the part of the respondent, and commenced by saying, that the hon. manager who had opened the case on the other side, in asking the attention of this honorable court, had very properly adverted to the great importance and responsibility of the subject. To the respondent indeed, it was personally of the last importance, both in its character and its consequences. He stood under the accusation of high misdemeanors in office, and of an usurped act of judicial power, arising and proceeding from most unworthy motives, which, if sustained, would be visited on his head by a punishment of no ordinary description; from the high station he now filled, he must necessarily be removed, no longer to enjoy its honors, thus operating in its consequences against him as a perfect ostracism from all honors and emoluments whatsoever, Mr. Meredith went on to enumerate other considerations than those which were purely of a personal nature, of still greater importance. If the doctrine were held good, on which the present impeachment was supported, many questions must arise which would mark the case as one of peculiar weight and consideration. His duty at the present stage was but simple, it went no farther than to state the line of defence they meant to pursue, and the evidence on which they relied to be able to support it. And this, with the permission of the court, he would do, in as brief and succinct a manner as possible. The transaction which gave rise to the present proceeding, he would state in a few words. The respondent, it was known, was a judge of the United States district court for Missouri. Having, in the course of his judicial functions, pronounced an opinion of considerable importance to many in that state, he was induced, at the request of several, to publish that opinion, and this request, as it had already been proved, was not confided to a few individuals, but was the general wish of the bar, as well as of those interested in those claims. One of the counsel in the cause to which he had alluded, (that of the heirs of Soulard), who was personally concerned in that as well as in other of the land claims, undertook to publish anonymously, and in a different paper too—not an argument to controvert that opinion, but an enumeration of what he was pleased to call its errors—errors which did not require a refutation—errors both in fact and in doctrine, as might be seen in no less than *eighteen* specifications, which he laid down, and which he averred, required no other elucidation. The respondent justly considering this as a gross and palpable misrepresentation of the decision he had given, proceeded against the author of this publication for contempt of his judicial prerogative; and after a patient and elaborate investigation, which occupied more than two days; and after an opportunity was offered to the acknowledged author to purge himself of the contempt by answering interrogatories; and after a peremptory refusal on the part of Mr. Lawless, to answer any interrogatories, in vindication of the authority and dignity of the bench, the court sentenced him to twenty-four hours imprisonment, and to be suspended from practising in that court for eighteen months.

This is the act, said Mr. *Meredith*, which is charged as a high misdemeanor—as an act wrongfully and unjustly to oppress a citizen of the state—tending to the great disparagement of public justice; the abuse of judicial authority; and subversive of the liberties of the people of the United States. But, in answer to this, the respondent had replied; and which he hoped to be able to make manifest, that the publication was intended to bring the court into contempt; to disturb the course of public justice, to lessen its weight in the public mind, and in fact, totally to prostrate it; and further, that the court in the

line it had pursued, was impelled, not by the bad motives attributed to it, but by a sense of what he conceived was a legitimate vindication of the rights invested in him. Mr. Meredith proceeded to detail the different laws made by congress at various times, for the adjudication of land claims under Spanish grants in Upper Louisiana—the strong suspicion of fraud which was attached to the majority of those claims, and which, for one, he contended, was attached to that of the Soulard case, for many reasons which he adduced.

He further argued that the respondent was borne out in the mode of procedure against Mr. Lawless, not by the English common law, but by American precedents of the highest authority; and in conclusion, he said they would produce evidence which would throw a new light on those land claims in Missouri; and show whether the expenses which the government would incur by the present prosecution, was called for by the justice of the case.

Robert Wash, esq. the first witness for the defence, was then called and examined.

At the close of Mr. Wash's examination, the court adjourned till 12 o'clock to-morrow.

Jan. 6. Mr. *Noble* presented a resolution instructing the committee of commerce to inquire into the propriety of making an appropriation to improve the navigation of White and St. Francis rivers. Mr. *Kane* submitted a resolution providing for the payment of the witnesses in the case of judge Peck. Mr. *King* presented a bill granting certain public lands for the cultivation of the vine and the olive. At 12 o'clock, on motion of Mr. *Foot*, the senate again resolved itself into a high court of impeachment, when John K. Walker and Mr. Pettis were examined in behalf of the respondent.

HOUSE OF REPRESENTATIVES.

Thursday, Dec. 30. Mr. *Chilton* submitted the following resolution:

Resolved, That a select committee be appointed, with instructions to enquire into the expediency of adopting some uniform mode for computing the distance for which members of congress shall be allowed compensation for mileage to and from the seat of government; and that said committee have leave to report by bill or otherwise.

In support of this resolution,

Mr. *Chilton* said that he had not offered the resolution with a a view to cast any imputation on honorable members. Neither had he offered it from electioneering motives or with a view to home consumption. That there was a great disparity at the present time in the computation in the mileage of members, could not be denied. As an example, he would state that of two gentlemen, both living in the same section of the country, one had, by a difference in the computation of mileage, received a difference in amount of one half. In 1825, the mileage of the two senators from Missouri, both residing in St. Louis, so varied, that one received $1,700, and a small fraction, while the other received $3 300 and a large fraction. He had made it his business to examine into the subject, and he had discovered many inequalities in the payment of the mileage of members, which, in his opinion, called loudly for the interposition of the house, so that an equality might be estatablished amongst members. He wished the resolution to be referred to a committee; but, if the house did not consider it a matter of sufficient importance to take this course, he was satisfied. If they saw proper to take up the subject, it would consume but little time.

Mr. *Cambreleng* did not think the resolution of sufficient importance for the appointment of a select committee, and suggested to the mover to refer it to the committee on the post office and post roads.

Mr. *Chilton* only wanted some order taken upon the resolution by the house, and declared his readiness to agree to the proposed modification.

Mr. *Wickliffe* said it would be recollected that at the last session of congress the house of representatives had passed a bill on this subject, which had not been acted upon by the senate. And he was much astonished at hearing of some of the reasons which was assigned in that body why the bill should not pass. [The *speaker* said it was not in order to allude to proceedings in the senate. Mr. *Wickliffe*: not to proceedings of the last session? The *speaker*: No, sir. Mr. *Wickliffe*: If we have no right to refer to proceedings of either house at former sessions of congress, I am of opinion that the parliamentary rules ought to be amended. What he had risen to suggest, however, was, that the committee on public expenditures appeared to him the most proper committee to refer the subject to.

Mr. *Chilton* said he had no objection to such a reference of it.

A motion was then made by Mr. *Jennings* to lay the resolution on the table—on which the yeas and nays were called—for it 17, againt it 160. The *yeas* were

Messrs. Anderson, Barnwell, Buchanan, Dudley, Edward Everett, Gurley, Hammons, Haynes, Hinds, Jarvis, Jennings, Kennon, Norton, Henry R. Storrs, Vinton, Edward D. White, Wilde: 17.

The resolution was then agreed to.

On motion of Mr. *Doddridge*, the house then took up the bill "for the punishment of crimes in the district of Columbia;" and the bill "making appropriations for the completion and support of the penitentiary, in the District of Columbia, and for other purposes:" which were severally read a third time and passed.

The other proceedings have been sufficiently noticed.

Friday Dec. 31. A good deal of minor business was attended to, in reports from committees, &c.

On motion of Mr. *Blair*, of Tenn. the committee of the whole was discharged from the further consideration of the bill to authorize the extension of a lateral branch of the Baltimore and Ohio rail road within the District of Colombia, for the purpose of bringing the bill into the house.

On motion of Mr. *Mercer*, who made a most eloquent and very feeling appeal to the house in support of his motion, the committee of the whole, to which the bill "for the relief of James Monroe," had been referred, was discharged from the further consideration of the bill, and it was committed to the committee of the whole house on the state of the union.

The resolution of Mr. *Pierce*, submitted on the 24th, and at the instance of Mr. *Hoffman*, laid on the table,—was taken up and agreed to.

Several resolutions were offered, with a view to the establishment of new light-houses.

Messrs. *Boon* and *Test* submitted resolutions of much interest to their state; and there were various other resolutions offered that will appear in their progress..

On motion of Mr. *Wickliffe* it was

Resolved, That the committee on internal improvements be instructed to inquire into the expediency of making an *appropriation of money to purchase out the stock in the Louisville and Portland canal*, with a view to make the navigation of said canal free to the commerce of the Ohio and Mississippi rivers.

Mr. *Whittlesey* submitted the following which lies on the table one day.

Resolved, That the secretary of war be directed to report to this house the names of all persons who have been inscribed on the roll of *invalid* pensions, and who have received pensions from the time of being wounded or disabled, or from any time before closing the testimony, together with the time when they were thus inscribed on the roll; the time when they were wounded or disabled; and the dates of their application, and the dates of closing their testimony.

The engrossed bills "to establish a land office in the territory of Michigan, and for other purposes;" "to provide, hereafter, for the payment of $6,000 annually, to the Seneca Indians;" and "for the relief of Matthias Row;" were severally read the third time and passed.

Several bills were received from the senate and read, &c. The *speaker* laid before the house two letters from the secretary of the treasury—one relating to the sales of public lands for the last year, and the other concerning brown sugars imported.

The house on motion of Mr. *Mercer*, resolved itself into a committee of the whole, on the state of the union, Mr. *Martin* in the chair, on the bill reported at the last session for the relief of *James Monroe*.

[This bill is in the following words:

Be it enacted, &c. That the secretary of the treasury be, and he is hereby authorized and required to cause to be paid to James Monroe, out of any unappropriated moneys in the treasury, the sum of $67,980 96.]

Mr. *Mercer*, in a speech of something like an hour's length, explained the merits of this bill, and the grounds upon which the committee had gone in reporting it. He advocated the passage of the bill with his usual eloquence.

Mr. *Chilton*, of Ken. made a strong speech against the bill.

Mr. *Whittlesey*, of Ohio, followed on the same side of the question.

Mr. *Gordon*, of Virginia, and Mr. *Cambreleng*, of N. York, vindicated their constituents from reflections upon them, in consequence of their interposition in favor of this claim.

Mr. *Coke*, of Virginia, expressing a desire for further examination of this subject, moved for the rising of the committee of the whole.

The committee rose, and the house immediately adjourned, (to Monday.)

Monday, Jan. 3. Mr. *Storrs*, of New York, submitted the following which lies one day:

Resolved, That the president of the United States be requested to communicate to this house (if in his opinion it may be done without injury to the public interest) copies of the correspondence which may have been had between the American minister at London and the government of his Britannic majesty, since the 4th day of March, 1829, relative to the opening of the ports of the United States to British vessels coming from the British West India colonies, and relative to the terms and conditions on which the importation into the said colonies, of the productions of the United States may be allowed in American vessels.

The *speaker* laid before the house the following message from the president of the United States:

To the house of Representatives of the United States:

I transmit herewith to congress the copy of a correspondence which lately passed between major general *Von Scholten*, his Danish majesty's governor general of his West india possessions, and special minister to the United States, and Mr. *Van Buren*, secretary of state, concerning the regulation of the commercial intercourse between those possessions and the United States; which comprehends the proposition that general Von Scholten made to this government, in behalf of his sovereign, upon that subject, and the answers of the secretary of state to the same—the last showing the grounds upon which this government declined acceding to the overtures of the Danish envoy.

This correspondence is now submitted to the two houses of congress, in compliance with the wish and request of general Von Scholten himself, and under the full persuasion, on my part, that it will receive all the attention and consideration to which the very friendly relations that have so long subsisted between the United States and the king of Denmark, especially entitle it, in the councils of this union. ANDREW JACKSON.

Washington, 31st December, 1830.

The message was read, and, together with the documents accompanying it, referred to the committee of commerce, and ordered to be printed.

The *speaker* also laid before the house the following message from the president of the United States:

To the house of representatives of the United States.

I communicate to congress the papers relating to the recent arrangement with Great Britain, with respect to the trade between her colonial possessions and the United States, to which reference was made in my message at the opening of the present session.

It will appear from those documents, that, owing to the omission, in the act of the 29th of May last, of a clause expressly restricting importations into the British colonies in American vessels to the productions of the United States; to the amendment engrafted upon that act in the house of representatives, providing that, when the West India colonies should be opened, the commercial intercourse of the United States, with all other parts of the British dominions or possessions should be left on a footing not less favorable than it now is; and to the act not specifying the terms upon which British vessels, coming from the Northern colonies, should be admitted to entry into the ports of the United States, an apprehension was entertained by the Government of Great Britain, that, under the contemplated arrangement, claims might be set up on our part, inconsistent with the propositions submitted by our Minister, and with the terms to which she was willing to agree; and that this circumstance led to explanations between Mr. *M'Lane* and the ea of *Aberdeen*, respecting the intention of Congress, and the true construction to be given to the act referred to.

To the interpretation given by them to that act, I did not hesitate to agree. It was quite clear that, in adopting the amendment, referred to, congress could not have intended to preclude future alterations in the existing intercourse between the United States and other parts of the British dominions; and the supposition that the omission to restrict, in terms, the importations to the productions of the country to which the vessels belong, was intentional, was precluded by the propositions previously made by this government to that of Great Britain, and which were before congress at the time of the passage of the act; by the principles which govern the maritime legislation of the two countries, and by the provisions of the existing commercial treaty between them.

Actuated by this view of the subject, and convinced that it was in accordance with the real intentions of congress, I felt it my duty to give effect to the arrangement, by issuing the required proclamation, of which a copy is likewise herewith communicated.

ANDREW JACKSON.

Washington, 3d January, 1831.

The message was read, and, together with the accompanying documents, were referred to the committee on commerce, and 6,000 copies ordered to be printed.

Tuesday, Jan. 4. Mr. *Wickliffe*, from the committee on the public lands, to which was referred the bill from the senate, entitled, an act supplementary to an act passed on the 31st March, 1830, entitled, an act for the relief of purchasers of public lands, and for the suppression of fraudulent practices at the public sale of lands of the United States, reported the same without amendment.

On motion of Mr. *Carson*, it was

Resolved, That a committee be appointed to inquire into the expediency of establishing an assay office in the gold region of the south.

The house proceeded to the bill to authorise the extension, construction, and use of a lateral branch of the Baltimore and Ohio rail road, into and within the District of Columbia. Pending a motion, by Mr. *Semmes*, to amend the bill.

The special orders of the day were, on motion of Mr. *Verplanck*, postponed, and the house went into committee of the whole on the state of the union, for the purpose of taking up the bill for closing certain accounts, making appropriations for arrearages in the Indian department, and the bill from the senate making appropriations for carrying into effect certain Indian treaties.

A motion was made by Mr. *Hoffman*, that the consideration of the said special orders be postponed, for the purpose of taking into consideration the bill to authorise the construction of three schooners for the naval service of the United States.

Wednesday Jan. 5th. On motion of Mr. *Test* it was

Resolved, that the committee on internal improvement be instructed to inquire into the expediency of authorizing the state of Indiana to substitute a rail road in place of a canal, to connect the waters of the Wabash river with those of Lake Erie, if they shall deem it proper to do so, and to appropriate the proceeds of the lands granted by congress for making the canal, to that of making a rail road in lieu thereof, not otherwise changing the fundamental principles upon which the grant was made.

On motion of Mr. *Chilton* a resolution was adopted, instructed the committee on public expenditures to inquire into the expediency of adopting some regulation by which members of each branch of the national legislature shall receive the allowance of $8 per day only in the discharge of their representative duties.

Thursday, January 6. Mr. *Vinton* moved the reconsideration of the bill authorizing a change in the disposal of l granted for the Illinois and Michigan canal. The ..consideration was warmly opposed, and a motion was made for an indefinite postponement, which was lost. It was then moved to postpone its consideration until the 13th instant, which was decided in the affirmative, yeas 94, nays 84. Mr. *Doddridge* moved to refer the bill to authorize the Baltimore rail road company to make a branch, to the committee on the District of Columbia. Mr. *Brown* asked for his reasons. Mr. *Doddridge* explained. Mr. *Howard* replied. Several other gentlemen took part in the debate, and the bill was finally referred to the district committee, ayes 66, noes 57.

TARIFF DOCTRINES.

In the house of representatives, Dec. 29.

[See proceedings of the 28th, page 328]

The house resumed the consideration of the resolution yesterday moved by Mr. *Howard*, of Maryland, for printing certain reports of the committee of commerce and manufactures in the years 1802, 1803 and 1804, with Mr. *Ramsey's* motion to amend the resolution, so as to cause to be sent to the legislature of each state in the union four copies of such reports, when printed.

Mr. *Howard* opposed the amendment proposed by Mr. *Ramsey*, which, he said, proposed to give more consequence to the reports than they deserved. He was not disposed to bring them either before the house or the nation as conclusive evidence of the constitutionality of the tariff laws, but as the means of assisting the formation of a correct opinion upon the subject. When printed, these reports would doubtless be reprinted in the public journals, and would thus be circulated. They will altogether make but a few pages; and he was unwilling to send such a matter as that to the legislatures of the several states, not deeming it of sufficient importance to be submitted to their consideration. Mr. H. said he had a very high idea of the dignity of the legislatures of the several states, and had more than once regretted to see them coming to this house with petitions. But that was a matter into which he would not enter at present. He objected, further, to the proposed amendment, that, if adopted, it would introduce other amendments, and the original proposition would be in danger of being crushed by the weight of the amendments.

The question was then taken on Mr. *Ramsey's* amendment, and decided in the negative.

Mr. *Speight* said he had not changed his opinion on this subject since yesterday. He would only now remark that in the short period he had been a member of this house, and of another legislative body, he never knew a proposition like this to be made. That the house has a right to print documents necessary to throw new light on subjects before it, no one would deny: but it had not the right to print old documents for electioneering purposes, and to shew what our ancestors had considered constitutional. This controversy concerning the tariff he had never viewed as one between the north and the south, but between the aristocracy and the people, and this is to be found in the south as well as in the north. If documents were to be printed to assist one side in this controversy, let both sides have the same chance before the people. He presumed that there were other documents bearing on this subject which might be interesting to the people, besides those specified by the gentleman from Maryland. He moved to amend the original proposition by adding the following, which he hoped the gentleman would accept as a part of his motion.

"Also the report of the committee of ways and means, on the state of the finances, made 13th March, 1828; report of the committee of commerce, made 8th February, 1830."

Mr. *Howard* said that he was sorry that he could not assent to the amendment, and in stating his objection to it, it would be necessary for him to be more explicit than he was yesterday. An impression has gone abroad, (said he) and has been carefully cherished by a certain description of politicians who are opposed to the system of protection of manufactures, that the party which elected and sustained Mr. JEFFERSON were opposed to that policy. This question, Mr. H. said, was now before the nation, and his only object was to throw such light upon the question, as would enable the people to decide it correctly. The amount of talent in the nation without these walls was many hundred fold greater than that within them, and wanted not the aid of this house to form an opinion. Thus, when the house spread before the people the materials from which to form a judgment, it had done its duty. The opinion that the party which sustained Mr. JEFFERSON was averse to duties for the protection of manufactures, had been sedulously instilled into the public mind. That opinion, however, was wholly erroneous. The publication of the reports in question, taken in connection with the tariff law of 1804, would shew that from the year 1802 to the year 1804, the party which sustained Mr. JEFFERSON not only sustained the constitutionality of such laws, but actually passed them. If this was made out by this publication, it would go to remove erroneous impressions, which, like all other erroneous impressions, ought to be removed. Reviewing the provisions of the act of 1804, Mr. H. said it was clear that in passing it, congress had acted under the power of which the constitutionality had since been called in question. All that he wished to shew, by printing these reports, and a reference to the act which was founded upon them, was, that the party which is now supposed to have been hostile to the power of protecting manufactures, actually did sustain that power. What effect this fact would have upon public opinion, it was not his province to determine. It was sufficient for him, to believe that the measure which he proposed would remove from the public mind an erroneous impression, and he wished, therefore, that it should not be encumbered with other matter foreign to his object.

The question was then taken on Mr. *Speight's* amendment, and decided in the negative.

Mr. *Cambreleng* asked the assent of the gentleman from Maryland, to add to his proposition, the report of the secretary of the treasury in March, 1792—the first report made by him when money was wanted to pay the public debt; in which he refers to that fact, and states that when the object of payment of the debt is accomplished, these taxes will be no longer necessary. The time is approaching when that question will come up, and this report would be useful. He took occasion to say that he concurred in the policy of reducing the duties on raw materials, and he would go as far as any one to protect domestic industry by repealing, not increasing the taxes on imports. That was the policy of the act of 1804. It has not been the policy upon which congress have since acted; for they have protected industry by heaping taxes on all the necessaries of life, acting with particular oppression on the agricultural interest. But, Mr. C. said, he would not go into that matter now. Mr. C. mentioned another report, which he wished included in the motion. These two reports, he said, interesting as they were, he had not been able to find in print except in the pages of the U. S. Gazette. He hoped the gentleman from Maryland would consent to include these two reports in his motion.

Mr. *Howard* said he had just stated to the house the reasons which induced him to decline accepting the amendment of the gentleman from North Carolina. The same reasons operated upon him now in declining to accept that proposed by the gentleman from New York. His object, he said, was a limited one, and confined to a short space of time. As the idea had gone abroad that the party which came into power with Mr. JEFFERSON was oppose to duties for protecting manufactures, he wished to shew that that opinion was unfounded. His motion affirmed nothing; it denied nothing—it sought only for truth. The papers desired by the gentleman from New York had nothing to do with the point of his inquiry, and he could not, therefore, accept his amendment.

Mr. *Mallary* said he had been opposed to the amendment from the gentleman from North Carolina, because 10,000 copies of the latter report had

been printed at the last session of congress. He declared himself in favor of that offered by the gentleman from New York. It was feared by some gentlemen that the resolution would be overloaded by amendments if the present one was adopted. He had no fears of this kind. He wished, for himself, to go back to the early periods of the government, far and wide, so that the wisdom of the sages then in the councils of the country might be diffused amongst the people of the present day, and their opinions and principles be widely disseminated. For his part, he should like to know what had been the sentiments of Hamilton and Jefferson on the subject now agitated, and what their principles were. He had risen to express his hope that the house would bestow a liberal indulgence, and that all that was required to be printed by the resolution and amendment would be granted, for the public information. The principles of the early legislators of the government were not to be lightly treated. The house had heretofore ordered a reprint of the old journals; but, asked Mr. M., who reads or thinks of them? Here and there they were consulted, to be sure, when some individual wished to know how a member or members had voted on certain questions; but, as matter of history, they were of comparative little use. The matters called for by the resolution and proposed amendment, would, on the contrary, be universally read by the people of the United States. He hoped the house would order the printing.

Mr. *Archer* said, that the object of the motion of the gentleman from Maryland, it was apparent, was not to supply any defect of information in this house; for the gentleman had avowed that his purpose was political—to produce, by the weight of the authority of the house, an effect; not to inform the public mind merely, but to produce a party effect. He submitted it to the gentleman himself, whether such an operation was any part of the proper duty of this house? He would ask whether it consisted with its dignity? Whether the purpose avowed by the mover was one which the house ought not to avoid? What right had the house to apply its contingent fund, as proposed, to mere party purposes? If our public men have been inconsistent, let them be rebuked for it. But is this house the proper organ to do it.

[Mr. A. here made an allusion to the distant absence of one of the persons implicated in such a charge, (supposed to be Mr. RANDOLPH), but Mr. *Howard* rose and disclaimed any such allusion or object.]

Mr. *Archer* said, on the face of the resolution, as well as by the avowal of the mover, these papers were not to be printed for the information of the house, but to subserve party purposes; which, he repeated, was no part of the proper duties of the house, which, he hoped would not lend its authority to any such purpose.

The resolution was further considered on the 30th, and Mr. *Wayne* said, that when he was interrupted yesterday, he was attempting to show that there should be no distinction made in ordering the printing of the documents called for by the resolution of the gentleman from Maryland, and those proposed to be printed by the amendment of the gentleman from New York. He would ask why the former should be agreed to, and not the latter? The ground taken by the gentleman from Maryland was, that, by the printing of the documents recommended by him, the public would be put in possession of the sentiments and principles entertained by the party which sustained Mr. Jefferson: and he wished to limit the publication from the years 1802 to 1804. The gentleman from New York wished, by his amendment, to refer to another period of history; and he repeated, why should not one portion be given to the people as well as the other? He had no objection to the original resolution but he desired the amendment to be coupled with it: and he would observe that, even if the amendment was rejected, he would still vote for the original proposition. If the object of the resolution was to give an idea of the sentiments of those who brought Mr. Jefferson into power, it certainly could do no injury to print the papers referred to. He denied that ever a distinct proposition was offered at that period to protect manufactures; he knew that an increase of duties was proposed; not, however, with a view to give additional encouragement to manufactures, but with a view to the payment of the public debt. Mr. W. made a number of other observations in reference to the history of these reports, and against confining the proposed publication to the particular period specified in the original resolution, when so much earlier expositions were on record, though not among the printed documents of the house, where those reports specified by Mr. *Howard* are already to be found.

Mr. *Drayton* rose, not to debate this question, but to suggest that the resolution proposed to do what the house was prevented from doing by the insertion in the last appropriation act, of a proviso that no part of the contingent fund should be expended for any other than the current printing of the house. Mr. D. therefore proposed to refer the resolution and the amendment to the library committee, to report thereon.

The question being taken on the proposed reference, was agreed to.

—

I happen to have in my collection of *old* things the reports made 10th Feb. 1802, and the report of the 21st of the same month, 1803—alluded to in the resolution offered by Mr. *Howard;* and add a brief extract from each, just sufficient to shew the scope and bearing of them; and to both are appended the names of the committee by which these reports were made. *It will be seen that these extracts cover every inch of ground that I ever attempted to take.* I merely hint at these things now—but if Mr. Ritchie accepts my "challenge," he shall have a *surfeit* of facts as to the *constitutionality of a protecting tariff*—some derived from Virginia, and, perhaps, a few from his own *infallible* judgment; that is, infallible, for so long as the wind does not change.

Extract from the report of the committee of commerce and manufactures, as made to the U. S. house of representatives, February* 10, 1802, *by general Samuel Smith, the chairman of the committee.*

"That in the opinion of your committee, such manufactures as are obviously capable of affording to the United States an adequate supply of their several and respective objects, ought to be promoted by the aid of government. Two modes of administering this aid have presented themselves to your committee. The one to permit free of duty the importation of such gross articles as are essential to those manufactures.—The other, *to impose higher duties on such articles (on importation) as can be supplied by our own citizens to advantage.* That at the present juncture, our infant manufactures peculiarly demand and merit the PROTECTION of government. Exempt as the foreign manufactures will now be, from the charges of war freight and war insurance, *the manufacturing interest of the United States will not be capable of entering into a competition with them on equal terms, without the friendly interposition of government.*"

—

Extract from a report of the committee of commerce and manufactures to whom the memorials of certain manufacturers were committed, as made to the United States house of representatives on the 21st Feb. 1803.

"That justice to the petitioners and sound policy point to the necessity of granting governmental aid for the PROTECTION of such manufactures as are

* The committee of commerce and manufactures, appointed Tuesday Dec. 8, 1801, were

Mr. Smith of Maryland, Mr. Eustis of Mass. Mr. Dana of Connecticut, Mr. Mitchell of New York, Mr. Jones of Pennsylvania, Mr. Newton of Virginia, and Mr. Lowndes of South Carolina.

obviously capable of affording to the United States, an adequate supply of their several and respective objects either by admitting free of duty the raw article essential to their manufacture, and which cannot be procured in the United States, or by imposing a higher duty than is paid on those articles, to the manufacture whereof our citizens are incompetent."

"The committee take leave to observe, that the duties now payable on importation do not, in their opinion, operate as *protecting duties to our infant manufactures* —because that the duties on almost all the articles of consumption being nearly equal, *the manufactures of the United States are charged therewith in every thing they consume*, and the journeyman being compelled to pay for every thing he consumes, at least 28 per cent. more than he would be obliged to pay, if such articles did not exist; he must of course, be paid in proportion for his labor. Your committee are therefore induced to believe *that the present duties on imports operate as an injury rather than a benefit to the manufacturer of the United States.*"

The report concludes with a resolution, calling on the secretary of the treasury to prepare and lay before congress at their next session, a plan for the laying new and more specific duties, &c.

Committee for 1802.

Mr. Smith, of Maryland, Mr. Dana, of Connecticut, Mr. Mitchell, of New York, Mr. Newton, of Virginia, Mr. Wynn, of North Carolina, Mr. Hunt, of New Hampshire, and Mr. Leib, of Pennsylvania.

BANK OF THE UNITED STATES.

The "American Quarterly Review" for December last, contains a long and able paper on banks and currency, in a review of Mr. McDuffie's report to the house of representatives, and Mr. Smith's to the senate of the United States, with that of the secretary of the treasury, on the relative value of gold and silver, &c. all submitted in the year just past. This article is from the pen of Mr. *Gallatin*, and makes between 80 and 90 octavo pages. The following is a brief notice of some of the principal points assumed or argued, and which are offered to the public consideration because of the great interests involved in them, seeing that a discussion has been pressed on the public; but, as "sufficient for the day is the evil thereof;"—we shall take no further concern in the subject, at present—than in simply laying before our readers what shall seem fitted for prospective reflection, on either side of the question, and to a reasonable extent.

1st. Mr. Gallatin considers the bank of the United States of the utmost importance to the financial operations of the government.

"Experience, however, has since confirmed the great utility and importance of a bank of the United States, in its connexion with the treasury. The first great advantage derived from it, consists in the safe keeping of the public moneys, securing, in the first instance, the immediate payment of those received by the principal collectors, and affording a constant check on all their transactions; and afterwards rendering a defalcation in the moneys once paid, and whilst nominally in the treasury, absolutely impossible. The next and not less important benefit is to be found in the perfect facility with which all the public payments are made by checks, or treasury drafts, payable at any place where the bank has an office; all those who have demands against government, are paid in the place most convenient to them; and the public moneys are transferred through our extensive territory at a moment's warning, without any risk or expense, to the places most remote from those of collection, and wherever public exigencies may require. From the year 1791 to this day, the operations of the treasury have, without interruption, been carried on through the medium of banks; during the years 1811 to 1816, through the state banks; before and since, through the bank of the United States. Every individual who has been at the head of that department, and, as we believe, every officer connected with it, has been made sensible of the great difficulties that must be encountered without the assistance of those institutions, and of the comparative ease and great additional security to the public, with which their public duties are performed through the means of the banks. To insist that the operations of the treasury may be carried on with equal facility and safety, through the aid of the state banks, without the interposition of a bank of the United States, would be contrary to fact and experience. That great assistance was received from the state banks, while there was no other, has always been freely and cheerfully acknowledged. But it is impossible, in the nature of things, that the necessary concert could be made to exist between thirty different institutions; and in some instances, heavy pecuniary losses, well known at the seat of government, have been experienced."

2d. He thinks, had it been in existence, it would have prevented the suspension of specie payments in 1814. The cause of that suspension he examines in much detail, and concludes the inquiry thus—

"We have stated all the immediate and remote causes within our knowledge, which concurred in producing that event; and although the effects of a longer continuance of the war cannot be conjectured, it is our deliberate opinion, that the suspension might have been prevented, and would not have happened at the time when it took place, had the former bank of the United States been still in existence. The exaggerated increase of state banks, occasioned by the dissolution of that institution, would not have occurred. That bank would, as before, have restrained within proper bounds, and checked their issues: and, through the means of its offices, it would have been in possession of the earliest symptoms of the approaching danger. It would have put the treasury department on its guard; both acting in concert, would certainly have been able at least to retard the event; and, as the treaty of peace was ratified within less than six months after the suspension took place, that catastrophe would have been altogether avoided."

3d. He thinks it was the direct and immediate agent in producing the resumption of specie payments.

"It will be found, by reference to the report of the secretary of the treasury of December, 1815, that his recommendation to establish a national bank was, in express terms, called 'a proposition relating to the national circulating medium,' and was exclusively founded on the necessity of restoring specie payments and the national currency. He states it as a fact incontestably proved, that the state banks could not at that time be successfully employed to furnish an uniform national currency. He mentions the failure of one attempt to associate them with that view; that another attempt, by their agency in circulating treasury notes, to overcome the inequalities of the exchange, has only been partially successful that a plan recently proposed, with the design to curtail the issues of bank notes, to fix the public confidence in the administration of the affairs of the banks, and to give each bank a legitimate share in the circulation, is not likely to receive the general sanction of the banks; and that a recurrence to the national authority is indispensable for the restoration of a national currency. Such was the cotemporaneous and deliberate opinion of the officer of the government, who had to struggle against the difficulties of a paper currency, not only depreciated, but varying in value from day to day and from place to place."

"It was not till after the organization of the bank of the United States, in the latter part of January, 1817, that delegates from the banks of New York, Philadelphia, Baltimore, and Virginia, assembled in Philadelphia, for the purpose of agreeing to a general and simultaneous resumption of specie payments. A compact proposed by the bank of the United States, acceded to by the state banks, and ratified by the secretary of the treasury, was the result of that convention. The state banks engaged to commence and continue specie payments, on various conditions, relative to the transfer and payment of the public balances on their books to the bank of the United States, and to the sum which it engaged previously to discount for individuals, or under certain contingencies for the said banks, and also with the express stipulation, that the bank of the United States, upon any emergency which might menace the credit of any of the said banks, would contribute its resources to any reasonable extent in support thereof, confiding in the justice and discretion of the banks respectively, to circumscribe their affairs within the just limits indicated by their respective capitals, as soon as the interest and convenience of the community would admit. To that compact, which was carried into complete effect, and to the importation of more than seven millions of dollars in specie from abroad by the bank of the United States, the community is indebted for the universal restoration of specie payments, and for their having been sustained, during the period of great difficulty and of unexampled exportation of specie to China, which immediately ensued."

4th. He thinks that it has established and maintains a uniform currency.

"In order to attain perfect uniformity, the value of a paper currency should, in the United States, be always the same as that of the gold and silver coins, of which it takes the place. It is impossible to fulfil that condition better, than by making that currency payable on demand in specie and at par. This cannot be done but at certain places designated for that purpose.

"Those notes, wherever made payable, are, by the charter, receivable in all payments to the United States: and as the bank is obliged, without any allowance on account of difference of exchange, to transfer the public funds from place to place within the United States, any loss arising from that cause falls on the institution. For that purpose, therefore, all the notes issued by the bank constitute but one uniform currency, with which all the duties, taxes, imposts, and excises, may be paid. Not only the condition of uniformity imposed by the constitution is strictly fulfilled, but by far the greater part of the notes which may happen to circulate out of the states in which they are made payable, is also absorbed by that operation."

5th He thinks that its operations in exchange, and the cheap transfer of funds which it is thus enabled to make, are of great advantage to the whole country.

"A similar objection has been made with respect to the dealings in domestic exchange of the bank. These consist of two correlative but distinct operations. The bank purchases at Philadelphia, and at every one of its offices, bills of exchange payable at different dates, and on all parts of the United States where there are such offices; and the bank and its offices sell their drafts on each other, payable at sight. The amount of both has been progressively increasing, to the great convenience of the public. That of bills of exchange was 29,335,254, and that of bank drafts 24,384,232 dollars, during the year 1829. In the same year the transfers of public moneys, which are effected by treasury drafts, analogous to bills of exchange at sight, have amounted to 9,066,000 dollars. The three items together make a total of 62,785,486 dollars, transmitted by the banks in one year through the medium of bills and drafts, which are thus substituted to the transportation of specie to the same amount. The purchase of bills of exchange is an operation similar, as relates to interest, to the discounting of notes. The interest accruing, from the time of purchase or discount to that when they become due, is equally allowed in both cases. Deducting this, the gross profit, on the purchase of bills, arising from the rate of exchange at which they were purchased, amounted in the year 1829 to 227,224 dollars, or less than three-fourths per cent. The premiums on the sale of bank drafts amounted to 42,826 dollars; but to this must be added the interest accruing on the drafts actually in circulation, and which, estimating, as before stated, the time during which, on an average, they remain so, at fifteen days, amounts to near sixty-one thousand dollars. The profit on those drafts is therefore near one hundred and four thousand dollars, or about three-sevenths per cent. The interest lost by the bank on the treasury drafts, is from fifteen to twenty thousand dollars; and the charges for transportation of specie, postage, and incidental expenses, amounted, in the year 1829, to 49,847 dollars. The nett profit of the bank, on the aggregate of those transactions, is, therefore, about two hundred and sixty-four thousand dollars, or a fraction more than two-fifths per cent. on the whole amount.

"There is not, it is believed, a single country where the community is, in that respect, served with less risk or expense.

"We have also heard complaints made against the purchase of foreign bills by the bank at the south, and the sale of their own bills on Europe at the east. That this may interfere with the business of capitalists who deal in exchange, is true; but the only public consideration seems to be, whether the bank confers a benefit on the southern planters or merchants, by entering into competition for the purchase of their bills, and on the public by offering for sale cheaper or safer means of making remittances abroad. That branch of business, either for the year 1829, or for the average of that and the two preceeding years, amounted to 3,580,000 dollars."

6th. He thinks that it maintains the general soundness of the currency, and without injuring the state banks.

"Those statements also show, that the bank of the United States, wherever its operations have been extended, has effectually checked excessive issues on the part of the state banks, if not in every instance, certainly in the aggregate. They had been reduced before the year 1820, from sixty-six to less than forty millions. At that time those of the bank of the United States fell short of four millions. The increased amount required by the increase of population and wealth during the ten ensuing years, has been supplied in a much greater proportion by that bank than by those of the states. With a treble capital, they have added little more than eight millions to their issues. Those of the bank of the United States were nominally twelve, in reality about eleven millions greater in November, 1829, than in November, 1819. The whole amount of the paper currency has, during those ten years, increased about forty-five, and that portion which is issued by the state banks only, twenty-two and a half per cent. We have indeed a proof, not very acceptable perhaps to the bank, but conclusive of the fact, that it has performed the office required of it in that respect. The general complaints, on the part of many of the state banks, that they are checked and controlled in their operations by the bank of the United States, that, to use a common expression, it operates as a screw, is the best evidence that its general operation is such as had been intended. It was for that very purpose that the bank was established. We are not, how-

ever, aware that a single solvent bank has been injured by that of the United States, though many have undoubtedly been restrained in the extent of their operations, much more than was desirable to them. This is certainly inconvenient to some of the banks, but in its general effects is a public benefit to the community.

"The best way to judge whether, in performing that unpopular duty, the bank of the United States has checked the operations of the state banks more than was necessary, and has abused, in order to enrich itself at their expense, the power which was given for another purpose, is to compare their respective situations in the aggregate. In order to avoid any erroneous inference, we will put out of question those banks of which we could only make an estimate, and compare, with that of the United States, those only of which we had actual returns.

"The profit of banks, beyond the interest on their own capital, consists in that which they receive on the difference between the aggregate of their deposits and notes in circulation, and the amount of specie in their vaults. We have given the aggregate situation for the end of the year 1829, of 281 banks, with a capitol of 94,245, 650 dollars, the deposits and circulating notes of which amount together to - - - - - - - - $71,275,504
from which deducting the specie in their vaults, 11,919,353

leaves for the said difference, - $59,356,151

or 64 1-3 per cent. on their capital."

"The notes in circulation of the bank of the United States (deducting two millions for those in transitu and adding one million for its drafts in circulation) amounted in Nov. 1829, to - $14,844,984,
and together with the deposits, to $29,623,793
from which deducting the specie in its vaults, - - - - - - - - 7,175,274

leaves for the difference - - $22,448,519

or 64 1-7 on its capital.

It is clear that those state banks, taken in the aggregate, have no just reason to complain, since that of the United States imposes no greater restraints on them than on itself. It will also be perceived that it had in specie, more than one-fifth part of the aggregate of its notes in circulation and deposits; whilst the state banks had little more than one-eighth; and the bank of the United States had, in addition, a fund of about one million of dollars in Europe. The difference would have been more striking, had we taken a view of the situation of all the state banks, including those on estimate, for the difference between the aggregate of their notes and deposits, and their specie, is 67 1 4 on their capital."

"This view of the subject applies to the present time, when the bank of the United States has surmounted the difficulties which it had, in its first origin, to encounter, and has reached a high degree of prosperity. It did not go into operation till the commencement of the year 1817, and such were the losses which it first experienced, that its dividends, during the first six years of its existence, fell short of 3 1-2 per cent. a year. The dividend has since gradually increased from 5 to 7 per cent.; but the average, during the thirteen years and a half ending on the first of July 1830, has been but 4 88-100 per cent. a year. An annual dividend of about 9 per cent. during the residue of the time to which the charter is limited, would be necessary, in order that the stockholders should then have received, on an average, six per cent. a year on their capital. The dividends of the state banks vary too much, and our returns are too imperfect in that respect to enable us to estimate the average; but it has certainly far exceeded that of the bank of the United States."

"The manner in which the bank checks the issues of the state banks is equally simple and obvious. It consists in receiving the notes of all those which are solvent, and requiring payment from time to time, without suffering the balance due by any to become too large. Those notes on hand, taking the average of the three and a half last years, amount always to about a million and a half of dollars; and the balances due by the banks in account current, (deducting balances due to some) to about nine hundred thousand. We think that we may say, that, on this operation, which requires particular attention and vigilance, and must be carried on with great firmness and due forbearance, depends almost exclusively the stability of the currency of the country."

7. That it is well managed.

"The progressive improvement of the bank of the United States, and the talent with which it has been administered, are exhibited in the following comparative view of the principal items of its situation, on the first day of November 1819 and 1830:—

November 1.	1819.	1830.
Notes discounted on bank stock,	$7,759,980	719,195
Notes discounted on personal security, - - - -	21,423,622	32 665,055
Domestic bills, - -	1,386,174	7,954,290
Deposits, - - - -	4,705,512	12,650,752
Specie, - - - -	3,147,977	11,436,175
Due to Baring, Brothers &co.	2,333,937	
Due from ditto. -		2,778,653
Bank notes issued, - -	4,221,770	18,004,680
deduct in transitu, -	411,659	2,823,135
In actual circulation, -	3,810,111	15,181,545

The whole judgment is recapitulated in these words:

"The principal advantages derived from the bank of the United States, which no state bank, and, as it appears to us, no bank established on different principles could afford, are, therefore: First and principally; securing with certainty a uniform, and, as far as paper can, a sound currency: Secondly; the complete security and great facility it affords to government in its fiscal operations: Thirdly; the great convenience and benefit accruing to the community, from its extensive transactions in domestic bills of exchange and inland drafts. We have not adverted to the aid which may be expected from that institution in time of war, and which should, we think, be confined to two objects."

"First. The experience of the last war has sufficiently proved, that an efficient revenue must be provided, before, or immediately after that event takes place. Resort must be had, for that purpose, to a system of internal taxation, not engrafted on taxes previously existing, but which must be at once created. The utmost diligence and skill cannot render such new taxes productive before twelve or eighteen months. The estimated amount must be anticipated; and advances to that extent, including at least the estimated proceeds of one year of all the additional taxes laid during the war, may justly be expected from the bank of the United States."

"Secondly. It will also be expected, that it will powerfully assist in raising the necessary loans, not by taking up, on its own account, any sum beyond what may be entirely convenient and consistent with the safety and primary object of the institution, but by affording facilities to the money lenders. Those, who, in the first instance, subscribe to a public loan, do not intend to keep the whole, but expect to distribute it gradually with a reasonable profit. The greatest inducement, in order to obtain loans on moderate terms, consists in the probability that, if that distribution proceeds slower than had been anticipated, the subscribers will not be compelled, in order to pay their instalments, to sell the stock, and,

by glutting the market, to sell it at a loss; and the assistance expected from the bank is to advance, on a deposit of the scrip, after the two first instalments have been paid, such portions of each succeeding payment, as may enable the subscribers to hold the stock a reasonable length of time. As this operation may be renewed annually, on each successive loan, whilst the war continues, the aid afforded in that manner, is far more useful than large direct advances to government, which always cripple the resources, and may endanger the safety of the bank."

BRITISH COLONIAL TRADE.

Supplement of the London Gazette of Friday, Nov. 5.

Saturday, Nov. 6.

At the court at St. James's, the 5th day of November, 1830; present the king's most excellency in council.

Whereas, by a certain act of parliament passed in the 6th year of the reign of his late majesty king George IV, entitled "an act to regulate the British possessions abroad," after reciting that "by the law of navigation foreign ships are permitted to import into any of the British possessions abroad, from the countries to which they belong, goods, the produce of those countries, and to export goods from such possessions to be carried to any foreign country whatever, and that it is expedient that such permission should be subject to certain conditions," it is, therefore, enacted, "that the privileges thereby granted to foreign ships shall be limited to the ships of those countries which, having colonial possessions, shall grant the like privileges of trading with those possessions to British ships, or which, not having colonial possessions, shall place the commerce and navigation of this country, and of its possessions abroad, upon the footing of the most favored nation, unless his majesty, by his order in council, shall in any case deem it expedient to grant the whole or any of such privileges, to the ships of any foreign country, although the conditions aforesaid shall not in all respects be fulfilled by such foreign country."

And whereas, by a certain order of his said late majesty in council, bearing date the 27th day of July, 1826, after reciting that the conditions mentioned and referred to in the said act of parliament had not in all respects been fulfilled by the government of the United States of America, and that, therefore, the privileges so granted as aforesaid by the law of navigation to foreign ships, could not lawfully be exercised or enjoyed by the ships of the United States aforesaid, unless his majesty, by his order in council, should grant the whole, or any of such privileges to the ships of the United States aforesaid: his said late majesty did, in pursuance of the powers in him vested by the said act, grant the privileges aforesaid to the ships of the United States; but did thereby provide and declare, that such privileges should absolutely cease and determine in his majesty's possessions to the West Indies and South America, and in certain other of his majesty's possessions abroad, upon and from certain days in the said order for that purpose appointed, and which are long since passed.

And whereas, by a certain other order of his said late majesty in council, bearing date the 16th July, 1827, the said last mentioned order was confirmed: and whereas, in pursuance of the acts of parliament in that behalf made and provided, his said late majesty, by a certain order in council, bearing date the 21st day of July, 1823, and by the said order in council, bearing date the 27th day of July, 1826, was pleased to order that there should be charged on all vessels of the said United States which should enter any of the ports of his majesty's possessions in the West Indies or America, with articles of the growth, produce or manufacture of the said states, certain duties of tonnage and of customs therein particularly specified.

And whereas it hath been made to appear to his majesty in council, that the restrictions heretofore imposed by the laws of the United States aforesaid upon British vessels, navigated between the said states and his majesty's possessions in the West Indies and America have been repealed, and that the discriminating duties of tonnage and of customs, heretofore imposed by the laws of the said United States upon British vessels and their cargoes entering the ports of the said states from his majesty's said possessions, have also been repealed, and that the ports of the United States are now open to British vessels and their cargoes coming from his majesty's possessions aforesaid, his majesty doth, therefore, with the advice of his privy council, and in pursuance and exercise of the powers so vested in him as aforesaid by the said act so passed in the fifth year of the reign of his said late majesty, or by any other act or acts of parliament, declare that the said recited orders in council of the 21st day of July, 1823, and of the 27th day of July, 1826, and the said order in council of the 16th day of July 1827, (so far as such last mentioned order relates to the said United States), shall be and the same are hereby respectively revoked.

And his majesty doth further, by the advice aforesaid, and in pursuance of the powers aforesaid, declare that the ships of, and belonging to the United States of America, may import from the United States aforesaid into the British possessions abroad, goods the produce of those states, and may export goods from the British possessions abroad to be carried to any foreign country whatever.

And the right hon. the lords commissioners of his majesty's treasury, and the right hon. sir George Murray, one of his majesty's principal secretaries of state, are to give the necessary directions herein, as to them may respectively appertain

JAMES BULLER.

London, November 15.

Present and proposed import duties in the American colonies.

Table of duties on certain articles of provisions, and of wood and lumber, *not* being of the growth, production or manufacture of the United Kingdom, nor of any British possession, imported or brought by sea, or by inland carriage or navigation, into the several British possessions in America.

	Present duty.			*Proposed duty.*		
1. *Southern colonies.* Imported or brought into the British possessions on the continent of South America, or in the *West Indies*, the Bahama and Bermuda islands included—viz:—						
Provisions—viz:	£	*s.*	*d.*	£	*s.*	*d.*
Wheat, the bushel,	0	1	0	0	1	2
Wheat, imported from the northern colonies,	0	1	0	duty free		
Wheat flour, the barrel,	0	5	0	0	6	0
Wheat, imported from the northern colonies, except Newfoundland,	0	1	0	duty free		
Bread or biscuit, the cwt.	0	1	6	duty free		
Flour or meal, not of wheat, the barrel,	0	2	6	duty free		
Peas, beans, rye, calavances, oats, barley, Indian corn, the bushel,	0	0	7	duty free		
Rice, the 100 lb. net weight,	0	2	6	duty free		
Live stock,	10 per et.			duty free		
Lumber, viz:						
Shingles, not being more than 12 inches in length, the 1,000,	0	7	0	0	10	6
Shingles, imported from the northern colonies,	duty free			duty free		
Shingles, being more than 12 inches in length, the 1,000,	0	14	0	1	1	0
Shingles, imported from the northern colonies,	duty free			duty free		

Staves and headings, viz:						
——— red oak, the 1,000,.....	0	15	0	} 0	18	0
——— white oak, the 1,000,.....	0	12	0	}		
——— imported from the northern colonies,.....	duty free			duty free		
Wood hoops, the 1,000,.....	0	5	3	0	7	10
———, imported from the northern colonies,.....	duty free			duty free		
White, yellow, and pitch pine lumber, the 1,000 feet of 1 inch thick,	1	1	0	1	11	6
——— imported from the northern colonies,.....	0	5	3	duty free		
Other wood and lumber, the 1,000 feet of 1 inch thick,.....	1	8	0	1	11	6
——— imported from the northern colonies,.....	0	7	0	duty free		
2. Northern colonies.						
Imported or brought into the British possessions in N. America.						
Provisions—viz:—						
Wheat, the bushel,.....	0	1	0	duty free		
Wheat flour, the barrel,.....	0	5	0	1	5	0
[may be warehoused, without payment of duty, for exportation to the southern colonies.]						
Bread or biscuit, the cwt.....	0	1	6	duty free		
Flour or meal, not of wheat, the barrel,.....	0	2	6	duty free		
Peas, beans, rye, calavances, oats, barley, Indian corn, the bushel,.	0	0	7	duty free		
Rice, the 100 lb. net weight,.....	0	2	6	duty free		
Live stock,.....	duty free			duty free		
Note.—By act 6, George IV. c. 114, food and victuals, among other things, fit and necessary for the British fisheries in America, and imported in British ships into the place at or from whence the fishery is carried on, are duty free.						
Lumber—viz:—						
Shingles,.....	duty free			duty free		
Staves,.....	duty free			duty free		
Wood hoops,.....	duty free			duty free		
White, yellow, and pitch pine lumber, the 1,000 feet of 1 inch thick,	1	1	0	duty free		
Other wood and lumber, the 1,000 feet,.....	1	8	0	duty free		
[may be warehoused, without payment of duty, for exportation to the southern colonies.]						

[The manifest advantages given to the productions of the British North American colonies are shewn in the first part of the preceding table. Beef, pork and fish, &c. of the *United States*, are not admitted—flour is taxed with six shillings, or 133 cents per barrel, and lumber with a forbidding duty, in many cases. The latter should be closely examined. It is the one alluded to in the speech of Mr. Herries, inserted below.]

BRITISH HOUSE OF COMMONS—NOV. 8.

Trade between the United States and the West India colonies.

Mr. *Herries* having moved that the speaker do leave the chair.

The house resolved itself into a committee of the whole house.

Mr. *Herries* said, that the subjects upon which the house had resolved itself into committee, were the relations of foreign trade with the British West India islands, and a system of regulations upon the subject founded upon the principles adopted by the British government and legislature in 1825. He should have to submit to the attention of the committee a schedule framed, after mature deliberation, for the protection of the mother country, and for the protection of her colonies, with reference to the imports from foreign states into those colonial possessions. He need not explain to the committee, that the arrangements now effected had been for a long time pending between the United States of America, which had prosecuted their intercourse with the colonial possessions of Great Britain. This intercourse was now placed upon a permanent basis by the close of one of the longest and most interesting controversies which had ever occurred between two nations. The adjustment had taken place upon the basis of the act of the British legislature passed in 1825, an act which laid down definitively the principles upon which this state would permit a participation by foreigners in that trade, which, by the admission of all parties, it belonged exclusively to G. Britain to regulate. From the conclusion of the last war Great Britain had endeavored to effect by negotiation an international agreement of the principles upon which the intercourse should be conducted, and incessantly attempts had been made to achieve this object, but always unfructuously. By Mr. Robinson's act, a free passage was given for a commercial intercourse between the United States of North America and the British West India islands. That act, however, was not passed solely for the purposes of a trade with the United States, but for a trade with a America in general. *America had entirely and unconditionally withdrawn her pretentions*, and England now stood upon the footing on which she legislated upon this subject in 1825, and to which she had declared her determination to adhere. But he should not do justice to the American government if he did not state that it was impossible for any party to have conducted a negotiation involving such important interests, in a more friendly, civil, straightforward, conciliatory, and, therefore, as he should say, in a more wise and prudent manner. (Hear.) The measure of suspending the intercourse of the colonies with the United States must have had a tendency to create new channels of trade, new interests in the colonial trade, and to raise up new classes of claimants in the future distribution of protecting duties. It was now necessary to repair former errors, and to let the North American colonies stand in that position in which they might have stood before the act of 1825. In forming this schedule it was necessary to look to the North American colonies, and if such arrangements injured other interests, those interests had been created solely by rejecting the principles of the act of 1825, which the United States now acknowledged to be just. The schedule of duties for protecting the colonies was entirely in their own power, and might be varied to suit the interests of this country. It had been necessary to impress this forcibly upon the American government to prevent any future complaint, and no objection had been made to the principle, as America had always raised or lowered her duties as she thought proper. *The object of the schedule was to give an encouragement to a supply of the West India islands by the North American colonies of Great Britain, instead of by the U. States of America, or by any other country.* This was to be done by a perfect freedom of trade between the colonies. It would be necessary also to take off duties on ships of foreign countries arriving in the ports of the North American colonies, and which had been levied to the present time. A duty had existed to the present time upon American ships, it having been the policy of England to encourage a circuitous trade, but now the object was to create a direct trade, and every obstruction of this nature ought to be removed. Flour and grain had never yet passed to the West Indies from the North American colonies, and, therefore, grain was not grown in any surperfluous quantity for the supply of the islands. In all those articles in which the North American colonies did not require support, the utmost freedom of trade was to be conceded to the United States. Where the duty had been 7*s.* on 1,000 staves, it was proposed to fix it at 10*s.* 6*d.* in all cases of direct importation from the United States. In all probability, the West Indies would continue to be supplied by our North American colonies, on terms as reasonable as could be expected.

The mode in which he proposed to proceed, was to lay before the committee a printed schedule showing the present and the proposed duties; the subject would thus be placed fairly before the house, and honorable members would be in a situation to come to a correct conclusion upon it. He considered that a free intercourse would be productive of great advantage to all parties. He trusted that there would be no objection to receiving the schedule now, the rather as it would be explained by comparative tables, and opportunity should be afforded to consider the effect of the proposed regulations previously to bringing up the report on Thursday. The right honorable gentleman concluded by moving a resolution to the effect: That it was the opinion of the committee, that in lieu of the duties now payable, the following duties, (contained in the schedule), be levied on articles not the manufacture of the United Kingdom, imported into the British possessions in North America.

Mr. *G. Robinson* assured the committee, that there was a party materially interested in the measure, who would learn with regret the great change it was now proposed to make in an important branch of our colonial policy. He asked whether it was a proper time, at a period when the United States had adopted a system of exclusion as regarded us—whether it was a fit time to make this important concession to America, without demanding from them, as a compensation, permission to introduce British manufactured goods into the United States? The consequence of this measure would be, to throw into the hands of the United States an undue proportion of the trade which we ourselves at present possessed, and to give a preponderance to their shipping interests in those quarters. The honorable gentleman denied that our shipping interest would be benefited, as the right honorable member appeared to suppose, by the alteration. From the moment of the measure coming into effect, the intercourse between the United States and our West India colonies would be free, and as no rise would take place in the West India market of which the Americans would not be aware one month before our merchants here could be apprized of it, America would reap all the advantage, and our merchants could not be expected to undertake the long voyage, as it was called, from England to America, and thence to the West Indies, (yet by such voyages alone was it pretended that British shipping interests could be assisted in consequence of the change)—our merchants would not do this when they were sure that America, by the proximity of her situation, could defy all our competition. The fact was, the competition would be between the United States and our North American colonies. He argued, that our shipping interests in Nova Scotia and New Brunswick would be destroyed. It appeared that the tonnage engaged in those quarters had, within a single year, increased to the extent of 60,000 tons. The amount of British tonnage now engaged in the North American trade was little short of 1,000,000 tons. He argued, that the greatest injury would be inflicted upon this interest by the change—that our shipping intercourse with North America and the West Indies would be supplanted; and that the shipping engaged in this trade would be laid up and sustain the same inconvenience and losses as had already affected the shipping interests generally in all parts of the United Kingdom. While we were acting on a liberal policy, America was proceeding differently. The Americans desired to obtain admission to our colonies, but would not admit British manufactured goods, against which they had enacted a scale of prohibition.* It was said that the West India colonies would benefit by this change. He would not say that they would not derive some, but he believed that much of what they would gain in one way they would lose in another, for if they went to the American markets instead of our North American colonies, they would lose the custom of the latter, for certainly these colonies would not take the rum and sugar of the West Indies except in exchange for flour and other articles which they were in the habit of supplying. The hon. member then went on to deprecate the haste with which this measure was to be carried through. This arrangement by convention, rather than by negotiation was contrary to the policy of Mr. Canning, who had recommended that negotiation having so often failed, any future relaxation of our colonial regulations should be by legislation, rather than by convention with other states. If this had been the case in the present instance, all parties would have had fair and equal notice of it.

Mr. *Keith Douglass*, adverting to the regulation of new duties, observed that any increase of duties to protect, as was said, the North American colonies, would be at the expence of the West India islands. Those islands were already burthened with more than they could bear, and any increase of duty would prove ruinously injurious to them.

Mr. *Herries* explained.

Mr. *Hume* observed that the West Indians were not satisfied with the measure, the North American colonists were not satisfied, and he was not. The only principle which he could recognize in the change was, that of making the West Indies pay as high as possible for what they imported, to protect the monopoly of the North American colonies. Now he protested against this, as he did against every kind of monopoly. The hon. member then went on to contend that the whole of our system with respect to America was wrong. He would have no protecting duties, which were only justifiable as matter of revenue, but beyond that they went only to establish a monopoly which we ought to discountenance in every way.

Mr. *C. Grant* next addressed the committee. We understood him to express his approbation of the general principle of the measure before the house, as it would tend to draw close those ties of amity which naturally and politically ought to exist between this country and America. Without going now into details, he would say that he approved of the general character of the measure.

Mr. *Bernal* could not admit that the arrangements stated by the right hon. gentleman would operate as a boon to the West India interest. Indeed, they would have no advantageous effect whatever, since the trade with America was, notwithstanding all their regulations, open to the West Indies by the means of St. Thomas, a neutral island.

Mr. *Herries* did not mean to imply that the proposed schedule would be a boon to the West India interest. It was not intended as such, and was merely meant to bring to a satisfactory conclusion a long agitated question. Ministers had consulted the general interest of the empire at large and not of a particular body.

Mr. *Warburton* contended that the protection which the right hon. gentleman had alleged to be but moderately given to the Canada timber trade was contrary to the soundest principles of political economy, inasmuch as it was a bounty given to the dearest produce of an article at the expense of the consumer, who could procure it at a cheaper rate elsewere but for the protection.

The resolution was then agreed to.

*It has never occurred to Mr. G. Robinson, perhaps, that Great Britain prohibits, or most severely taxes *all* our productions, cotton excepted.

NILES' WEEKLY REGISTER.

FOURTH SERIES. No. 21—VOL. III.] BALTIMORE, JAN. 15, 1831. [VOL. XXXIX. WHOLE No. 1009.

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT $5 PER ANNUM, PAYABLE IN ADVANCE.

THE WEST INDIA DOCUMENTS. The N. Y. Journal of Commerce very satisfactorily accounts for its late publication of the correspondence between Mr. McLane and lord Aberdeen, by saying—"The correspondence referred to, was presented to both houses of the British parliament some time in November, 'by command of his majesty,' and printed by the government printer, in a folio pamphlet of 31 pages. A copy of this pamphlet was received at this office by the George Canning."

☞We have commenced the publication of these documents, as they accompanied the message of the president—and shall give them, compactly, as soon as we can, with due attention to other things.

FLOUR. A letter from J. H. Powell, esq. of Philadelphia, now in England, is published in a Harrisburg paper, and says—

"*My dear sir*—I have but one moment to state, that I have *high* authority for saying that the supply of grain on the continent of Europe is short, and that agents from France have gone to the United States to purchase the corn, &c. Communicate this to the farmers of both houses. In great haste, your friend, &c."

GEORGIA AND THE INDIANS. We have many interesting papers and statements, growing out of the writ of error, lately issued in reference to the case of Tassels, who, it will be seen, was executed, no notice having been served on the judge or sheriff of the county. We shall record some of these papers as soon as we shall have disposed of the documents relating to the British West India trade. But, as some mistake appears to exist as to the nature of a writ of error, we copy the following hints from the National Intelligencer.

1. The signature of the chief justice of the United States to a writ of error, is merely formal. The clerk prepares the writ, and no judge of the supreme court, in ordinary cases, sees or hears of it till it is returned.

2. The 11th amendment of the constitution prohibits suits against particular states. But, in Cohens *vs.* Virginia, it was held that a writ of error is not a suit within this clause of the constitution. The United States are exempted from suit, but nothing is more customary or regular than a writ of error upon a judgment obtained by the United States.

3. *Quere.* Whether the supreme court can take official notice of the death of the plaintiff in error, (in the case of the executed Indian), until it is regularly suggested on the docket; and, until that is done, must not the court enforce its process?

EXECUTION OF GEORGE TASSELS. We learn from the Georgia *Athenian*, of the 28th ult. that "the execution of this unfortunate Indian took place on the 24th ult. A large number of persons were assembled on the occasion, among whom were some eighteen or twenty Indians." The *Athenian* notices the proceedings of the legislature, upon the receipt of the order from chief justice Marshall: and adds, that no notice from the U. S. court was served upon judge Clayton, or the sheriff of Hall county. [*Charleston Courier.*

TERRIBLE. On the night of the 29th inst. a Mr. Newey, who lived in Harbaugh's valley, Frederick county, Maryland, together with his wife, two children, father-in-law and apprentice boy, were all murdered, after which the house was set on fire and consumed. The man, his wife, and children, seem to have been stabbed in their sleep, the father-in-law and apprentice killed as they descended from an upper chamber to ascertain the cause of the noise. The firing of the house alarmed one of the neighbors, and it was thus ascertained that the murder had been committed previous to the arson. The author of this deed is supposed to have been a nephew of Mr. Newey, named Markley, who, about 5 years, since had been sent to the penitentiary for robbing him of his clothes, a watch and 250 dollars. Markley has been arrested in Baltimore, and is now safely lodged in jail.

AWFUL! Thomas Ritchie's, "Enquirer" of the 8th inst. has the following awful announciation—

"☞We have a long and a strong reply to our friend *Hezekiah* Niles, from the "*Practical Man.*"—We have no room for it this morning—but shall lay it before our readers on Tuesday, if possible—on Thursday, at the latest.—He cuts up the statements of the Register *in high style.*"

Very well—if Mr. Ritchie permits his readers to see what I have said, I shall extend the same courtesy to him; as soon as I can get the room.

ABUNDANCE OF SPECIE. A late number of the "New York Journal of Commerce" contained the following article. The better to make some remarks upon it, we have numbered the paragraphs.

"It is estimated by those who understand such matters that the banks in this city have now on hand seven millions of dollars in specie, and it continues to flow in from all quarters. The vaults are already overflowing, and some of the banks will soon be compelled to rent larger accommodations in which to store their redundant barrels of dollars. The legal interest on this mass of idle capital would be almost half a million annually. (1)

"How we are to be relieved from the incumbrance, it is not easy to see. The state of the world is new in this respect. Until within a few years, Chinese idolatry furnished a market for all the surplus dollars in the world: and in her temples the produce of all the mines was again buried up, as much beyond the reach of the commercial world, and more too, than before it was first dug from the earth. To stop that drain of specie from the country, congress imposed a burdensome duty on the goods bought with it. The fact of exportation was to all practical minds, good proof that however valuable the specie might be to us, there were other things still more valuable. Yet congress, unwilling to trust the merchant to put his barrel of dollars to the best use, refused him permission to exchange it for the silks of Canton, and compelled him to supply his warehouse from the dearer merchandize of some other country.(2)

"The Chinese have at length taken it into their heads to seeond our policy. Having made up their thirty millions of gods, or twice that number perhaps, they have concluded not to pursue that round-about course any further, but instead of making silver gods and then imploring of them other supplies, to take the shorter cut of buying supplies in the direct course of business. Now, therefore, they call on us for merchandize, and our market for specie is lost. What then shall we do? The mines are throwing out their products with unabated industry. We may export a little to France, but it is nothing comparatively, and even if the demand were much greater in that way, the specie would only float about on the surface of business, and come back with the next ebb of the tide. At any rate, the stock would be accumulating upon commerce. We must have some method of *consumption* for an article which is furnished so abundantly. The making of spoons and plate affords a little relief, and but a little: for the old silver remains to be worked a thousand times. There is but little exhaustion of the mass. We want some vortex such as China was, where we may carry cargo after cargo, and throw it in and never see it more.(3)

"It occurs to us that now is a grand time for this nation to consummate its wealth and glory on the plan of congress, and the abettors of the non-exportation-of-specie

doctrine. We have only to do like the Chinese,—wear nothing, eat nothing, enjoy nothing, but sell every thing. If this policy were carried out in its extremest severity, we might accumulate sixty or seventy millions of dollars annually. And if the nation were to follow the policy as long as the Chinese have, we should certainly be every thing that silver could make us. Bunker Hill monument, which lingers for want of granite, might then be made to shoot up a polished shaft of silver. Our streets might be paved with silver, Every man might have a silver walking stick, silver slippers, and if he pleased a silver night cap.(4)

"But it the friends of the restrictive system should change their minds, as men are wont to do, at the moment the object for which they have toiled is within their grasp, then we must go on as before,—build our pyramids of granite, and our slippers of morroceo. What will then be the effect of this constant production of the precious metal with no corresponding consumption? What would be the consequence in any other commodity, if the consumption should cease while the production went on? Evidently there would soon exist a heavy over stock of such an article, and the price would fall until it should be used for cheaper purposes, and until the consumption should cease or be reduced to the limits of production. If this should be the course of the precious metals, the revolutions in property would be very great. That it will be, we will not undertake to predict;—that it will not be, it would require wiser heads than ours to prove.(5)

—

"(1)Specie was never before so abundant in the United States as at present. The vaults of the banks may be said to be filled with dollars, and a very large amount is in circulation, because of the diminished number and increased detestation of ragged and filthy one and two dollar bank notes. The bank of the United States lately expressed a willingness to loan the state of Pennsylvania eight millions of dollars, at 5 per cent, per annum; and, at that rate of interest, offers have been made to supply a million for making the projected rail-road from Baltimore to Washington. A remarkable instance of the abundance of money is in the following fact, as we have heard it stated—that Baltimore may draw on Philadelphia for a million of dollars, which Philadelphia will cheerfully pay in specie; but, as money is not wanted by the Baltimore banks, there is no desire to encounter the cost of its transportation, and it remains useless at Philadelphia. It is probable that the United States might borrow fifty millions, for any popular purposes, at about four per cent. provided the principal was irredeemable for 15 or 20 years. The rapid payments on account of the public debt, in the last seven or eight years, may have partially caused this surplus capital—but the *new* investments in other stocks, or various public or private improvements, must have greatly exceeded the amount paid on account of the debt. Money is plentiful every where in the United States to those who have any desired article to give for it, at a fair price. And withal, there is a slow but wholesome rise in the value of real property, within the last three or four years. How is this? We shall enquire a little into the important matter, in our remarks on the subsequent paragraphs.

(2)The business formerly with China was but a small affair, compared with the changed character of things in the United States. The high duties upon Chinese goods were laid for *revenue*, and by early acts of congress—altered only in 1816, because of the want of money, when they were somewhat increased,—except in 1830, when the duties on teas were agreed to be much reduced. In the early years of this yet young republic, the trade with China was not regarded as an advantageous one, because that no considerable amount of our own products were accepted in exchange for her commodities, and all may remember when the sailing of two or three ships, with 5 or 600,000 dollars for China, caused great embarrassments to mercantile men and the public generally. The whole export of specie to China and the East Indies, from the United States, never, perhaps, averaged more than a million and a half a year; which would hardly be felt in the present condition of our country. But now, instead of obtaining a large supply of cotton goods from China and Bengal with specie, we export large quantities of cotton goods to those places, which yield a profit on sales there, being better than their cost in dollars in the United States. And further, some portion of the value of the articles obtained in China, for our use, for several years past, is the product of furs collected by our adventurous citizens on the North West coast of America, or the far distant islands of the south, and disposed of at Canton. The character of the trade has materially changed; and it is well known that large quantities of specie have latterly been exported from China to Bengal, &c. in exchange for raw cotton, and various manufactured articles.

"(3)The general facts above hinted at are admitted in the third paragraph,—the Chinese "call upon us for merchandize, and our market for specie is lost." We regard specie as much an article of "merchandise" as teas—but, if the market for specie is lost, we still have wherewith to obtain teas; and think it more advantageous that they should be purchased with cotton goods, exported from Boston or Philadelphia, or furs gathered by the industry of our people, than with specie, because we respect the latter as the superior sort of "merchandize." But we apprehend a great mistake in the saying, "that the mines are throwing out their products with unabated industry." We thought it an accepted fact—that the products of the mines had diminished at least one half, in the last twenty years, compared with former ones. A writer in a late number of the London Quarterly Review has a long and interesting article on this subject. He supposes that since 1810, the increased population and business of the world requires an annual fresh supply [in all] of 54,000,000 dollars; but he calculates that, because of the disturbances in South America and Mexico, such supply, which amounted to 54,980,000 dollars previous to 1810, has since then not exceeded 23,980,000 —leaving an annual deficiency of 31 millions, &c.

He gives various items, classed as follows, to shew the *annual* demand for specie since 1810—

To meet the increase of business	$9,000,000
To fill the chasm caused by the withdrawal of paper money	15,000,000
Consumption by the manufacturers	30,000,000
Total	$54,000,000

And after references to many facts, he offers the following to shew the annual supply before and since 1810—

	Previous to 1810.	*Subsequent to* 1810.
America,	$47,000,000	$15,000,000
Africa,	1,000,000	1,000,000
Europe and Asia,	6,980 000	7,980,000
	$54,980,000	$23,980,000

Shewing a decrease in the annual supply, since 1810, of 31,000,000. But if we compare the supply with the demand during this period, the result will be,

Annual demand,	$54,000,000
Annual supply,	23,980,000
Deficit	$30,020,000

which, in 20 years, amounts to $600,000,000.

He then speaks of the loss by shipwrecks and the thousands of accidents that happen, by which money is lost to the circulation, which, on the whole amount of specie in the world, [3,000 millions of dollars] he supposes would amount to 120 millions in 20 years, making a whole apparent deficiency in that period of 720 millions, &c.

We shall not enter into a special consideration of the facts suggested, but think that they may be generally accepted. China is no longer the "vortex" into which cargoes of dollars may be cast, and seen no more.—*Scientific power* has conquered cheap *manual labor*. Her people, though subsisted for the value of two or three cents per day, cannot make cotton yarn or cloth so cheaply as others at Manchester, Providence, &c. and what used to be regarded as the *cheap* goods of Bengal, whole ship-loads of which we have seen imported, have given way to the cheaper and better operations of scientific power in Europe and America. Nay, it is probable, that as much cotton goods was last year exported from the United States to China and Bengal as was imported from them—some of their articles being

yet needed to make up assortments, and gratify the various taste of the people.

The late message of the president of the United States has the following paragraph—

"It is an infirmity of our nature to mingle our interests and prejudices with the operation of our reasoning powers, and attribute to the objects of our likes and dislikes, qualities they do not possess, and effects they cannot produce. The effects of the present tariff are doubtless overrated, both in its evils and its advantages. By one class of reasoners, the reduced price of cotton and other agricultural products is ascribed wholly to its influence, and by another, the reduced price of manufactured articles. The probability is, that neither opinion approaches the truth, and that both are induced by that influence of interests and prejudices to which I have referred. The decrease of prices extends throughout the commercial world, embracing not only the raw material and the manufactured article, but provisions and lands. The cause must, therefore, be deeper and more pervading than the tariff of the United States. It may, in a measure, be attributable to the increased value of the precious metals, produced by a diminution of the supply, and an increase in the demand; while commerce has rapidly extended itself, and population has augmented. The supply of gold and silver, the general medium of exchange, has been greatly interrupted by civil convulsions in the countries from which they are principally drawn. A part of the effect, too, is doubtless owing to an increase of operatives and improvements in machinery. But, on the whole, it is questionable whether the reduction in the price of lands, produce and manufactures, has been greater than the appreciation of the standard of value."

The main point in this extract is at issue with the remarks of the "Journal of Commerce," and, we think, entirely correct, as to "a diminished supply of the precious metals," but altogether in error, we believe, as to an "increased value" of them. If a house which rented for 100 dollars a year may be had for 75 dollars, we should not call it evidence of an increased value of such property—but such, about or nearly 25 per cent. is the reduced amount of interest on money, the present time compared with 1810, though since that period, the quantity of the precious metals, in use as a circulating medium, has probably diminished in a large sum, indeed. The low rate of interest, or the price of money, has the effect to reduce the price of commodities—but how is it, that, with a lessened supply, the annual value of specie has been reduced, when vested in stocks or otherwise loaned out? Here is a very important question. We cannot enter into particulars—but it is the more rapid "*circulation of values*" which causes this apparently irreconcilable state of things. Capital that was turned only once or twice in a year, is now turned many times; and, because of the making of canals and roads, the application of steam, and great improvements in the art of navigation generally, hitherto distant places have become near to one another. For a familiar case—the farmer on lake Michigan now looks at a New York Price Current, to fix the selling price of *his* wheat! There is a market for it, easy of access and prompt, and he can calculate the proceeds of a thousand bushels of wheat just as well as those of a thousand silver dollars—though the latter were carried, as in "old times," 500 miles through the wilderness, on horse-back, with much fatigue and risk and cost. Instead of collecting and thus transporting hard dollars, the merchant in Michigan leaves them for the neighboring circulation, and remits the produce of the country, for supplying it with goods. These are [new] daily operations in all parts of the U. States, and many of the countries of Europe. Places that were as if inaccessible to one another for ordinary purposes of trade, have become neighbors; or negotiations which required three months are performed in as many weeks, as we have explained in our article on the "circulation of values." And this "circulation" is mightily promoted by the use of "improved machinery," applied to manufactures. Hence, though the supply of specie is less than it was, it is either less needed as a measure of value, or performs its office more rapidly. With us, the bank of the United States is a powerful agent, in the latter respect. Without a dollar being handled, how many millions are negotiated through its various branches! But withal, balances must sometimes be settled with specie—we do not, however, see it passing and repassing as heretofore, at heavy expenses for transportation and care of it, all which were a dead loss to the owners of the money. The increased coasting and inland trade of the United States, is the source of such operations. The world too, has enjoyed a general state of peace, and all nations, to forward their own industry, prefer exchanges of their own commodities to the settlement of balances by payments of specie, unless produeing it, as in Mexico, &c. Besides, in a state of peace there is only a small disposition to hoard specie—but with all our present plentifulness of it, what would become of our dollars, were the bank of the United States to cease redeeming its notes in them *for* a single month? They would disappear from circulation immediately. And if a general war shall break out in Europe, so that supplies must be obtained and balances settled by payments in coin instead of general exchanges of products, it will not long be a subject of complaint that our banks are incommoded with dollars. There would be a "vortex" for them very speedily.

An opinion extensively prevails, and it is rather sanctioned by the extract which we have made from the president's message, that there is a reduced price of lands and their products, as well as of manufactured articles, because of an appreciated value in the precious metals. It is very certain, we think, that no such appreciated value at present exists. Money was never so *cheap* in the U. States as it is now, and the opinion must needs seem an erroneous one. We more than doubt the opinion, that the *general* value of lands and provisions has been diminished—at least in our own country, though there are many *partial* reductions. How much has the aggregate value of lands and their products been increased on the waters of the Mississippi, since the introduction of steamboats on the western rivers? What the value of lands in N. York, Vermont, north Pennsylvania and Ohio, Michigan, &c. since the making of the Erie and Champlain, and other canals; or in Pennsylvania by her roads and canals, &c. giving access to her "coal fields?" Thousands of millions of dollars are involved in these and similar questions that might be asked. The present interior and coasting transportations of the United States, are probably accomplished at an annual cost of 50 millions *less*, than the same amount could have been performed for, 20 years ago—and this is entirely a *clear gain*. So far it reduces the price of commodities—but has no reference to an appreciated value in the precious metals: and, if the price of land, or wheat, is reduced in parts adjacent to New York, Philadelphia, &c. the price of land or wheat near Buffalo, Detroit, Pittsburg, &c. has advanced at a higher rate. There has rather been an equalization than a depreciation of prices; and this will proceed as internal improvement, with scientific power, advances. We have no doubt that the 10 millions* expended on the

*Say, these canals cost 10 millions—or, at 5 per cent. 500,000 dollars a year—the receipts for tolls, last year, were $1,027,327. for the Erie and Champlain canals, and the cost of them, including interest paid, $628,751—leaving an apparent profit to the state of $400,000. But this is a small matter. *What has been saved in the cost of transporting commodities?*—all which is a *public gain*, in one way or another. We wish that some friend of internal improvement, who has the means at command, would calculate the amount saved. We roughly guess, that it is equal to a capital of more than one hundred millions. Add to this, the increased value of property on the lines, or within the ranges of these canals—and, what is the whole amount of value, really given, because of them? This is the only true way to determine the benefits of such things.

A writer in the Charleston "Mercury," with reference to the subject hinted at, says—"we will take the supposed distance to Hamburg, 140 miles, 100 bales of cotton on freight;—by wagon it will require 10 wagons, each carrying 10 bales is 100 bales—4 horses in each wagon is 40 horses—1 man and 1 boy each is 10 men, and 10 boys—usual day's travel is 20 miles per day—7 days to make the trip. Thus then stands the account:

New York canals, has increased the general value of property 200 millions; or that 10 millions expended in making the rail road from Baltimore to the Ohio, will add 200 millions more to the national wealth. No man can count the value of the iron and coal mines of Pennsylvania—but, forbid the use of roads and canals, and these mines would become valueless—as they were, a short time ago.

The extract from the president's message invites a long investigation; but we cannot give it just now. How is a "diminished supply" of the precious metals to be reconciled with that abundance of silver of which the "Journal of Commerce" complains—with the low rate of interest on money? *We have an increased supply.* There must be some cause for it—it has not happened by chance. We say, that it comes from the increased employment and increased profits of our people, because of the degree of success which has attended the "AMERICAN SYSTEM;" and yet, our fellow citizens are better fed, better clothed and sheltered, than ever they were. There is no manner of doubt about this, as a general assertion. If any are not content with the reason we have assigned, let them put forth some other! There are doleful outeries about the destruction of commerce, and yet the most

10 wagons and harness, $300 each, is	$3,000
40 horses, $75,	3,000
Value of conveyance,	$6,000
Sustenance for the trip, 40 horses, 37½ cts. each per day,	15
Wages of men, including board, $1 per day,	10
Wages of boys, do. do. 50 cts.	5
For one day,	30
seven do. the trip,	210

Add interest on the cost of conveyance per day, at 6 per cent. say $6, makes $216. Hence it costs 216 dollars, to transport 100 bags of cotton 140 miles by wagon. The usual wagon price is $1 or 1 25 per hundred to Columbia, 110 miles—equal to 4 or 5 dollars [per bale] for the distance to Hamburg. This is wagoner's profit.

The engine costs $4,000—power at 10 miles per hour.

100 bales of cotton, 5 train cars, at		$100,00
Motive power and burden carriages,		4,500,00
Interest per day on cost,	$0 75	
Attendance, 1 man,	1 50	
Attendance, 1 boy,	0 75	
1 woodcutter and fireman,	0 50	
1 supernumerary,	0 50	
Lightwood, half a cord,	1 00	
Oil, as the wheels must be greased,	0 50	
	$5 50	

Or the actual amount of attendance, interest on first cost of conveyance 140 miles, is but 5½ cents per bale, leaving all between that sum and the amount the company may charge as freight, for preparing renewals and dividends. Hence one engine, with 3 men and 1 boy, performs the same work in one day, that requires ten wagons, 10 men, 10 boys and 40 horses to do in 7 days."

The writer is speaking of the rail road now making from Charleston; and he also has a statement, shewing the importance of such a road, in a season of war, and adds—"suppose an enemy threatened our city, we wished to remove our property, say to Dorchester, expeditiously—The engine will make 7 trips, each 100 bales of cotton, and return ready for a fresh load in 30 hours; thus removing 700 bales cotton beyond the reach of the enemy—to effect which by wagon, would require 70 wagons, 70 men, 70 boys, 280 horses, and 48 hours time."

And further—suppose Charleston was menaced by an enemy, and additional force was necessary, no matter on what account—supplies of men, armed and ready for the fray, might be received, the 140 miles *from Hamburg*, in about *twenty hours* after it should be first known, *at Charleston*, that their services were needed, allowing them time to get ready, if equipped for such services—for 15 miles an hour will become a slow rate of travelling on a rail road—but a forced march of 140 miles, for a body of soldiers, is a serious affair.

substantial evidence of a profitable trade, in the abundance of specie, is present! The "balance of trade," whether we can define it or not, *is* in our favor, and will so remain, while the American system shall flourish.

(4) The matter of this paragraph has already been chiefly examined in the preceding remarks. But *do* we "wear nothing, eat nothing, enjoy nothing?" There is no people under heaven so well clothed and fed as those of the United States. There is no such thing as general suffering among any class of our citizens. How is it in Europe—in England, the great pattern of the civilized world? The journeyman mechanic in Baltimore consumes more rich food in a week, than one of his class in London can obtain in a month. We care nothing about the export of specie, unless as it may shew an adverse trade—but it is a common measure of value, and very convenient to have a plenty of it! What is it that we need, which specie can purchase? And who will send specie abroad, to obtain indigo and salt petre in the East Indies, when a dollar, vested in cotton goods at Boston, may be worth 125 cents at Calcutta? But there is no fear that we shall not have opportunities to dispose of our surplus silver, without "paving our streets with it." An arrest of the "American System" will drain us of every dollar in a twelve-month.

(5) In general and further replication, or remark, let us introduce a *pro forma* statement, to shew the operation of what is called by commercial men the "*restrictive* system"—which we deny that the "American system" is, being *protective.*

Suppose the manufactures of cotton in the United States have an ultimate value of 30,000,000 dollars a year. We put down this amount only for example. Of this sum—

1. There is paid to the planters, about	$6,000,000
2. To farmers and mechanics for supplies of food, fuel, lumber, timber, &c. the building or repair of houses, machinery, &c. &c.	13,000,000
3. To the operatives in or about the factories, beyond the cost of their *subsistence*	4,000,000
4. To other persons employed in the various transportations and sales of goods, and provisions, with agents, &c.	2,000,000
5. For interest on capital, profits earned, and various expenses not included in the preceding items	5,000,000
	$30,000,000

We do not pretend that this is an accurate statement—but it is sufficiently so for our purpose of making a wholesale application. The cotton might be exported to Europe and sold there—but the additional quantity would reduce its value, let us say, only one million of dollars; yet such reduction might affect the *whole quantity exported*, and, perhaps, in a larger amount than the value retained from the European market for home use! But let all this pass for nothing. This, however, is certain—that, as the foreign market will not take *further* supplies of our provisions, lumber, &c. or the works of our mechanics and other working-people, employ our coasting vessels, wagons, &c. or pay interest on our capital, having enough, or being indisposed to consume the productions of our labor—*the remaining 24 millions is as an actual gain to the nation.* That is, certain things *not to be disposed of in the foreign* market, are *worth in the* NEW *home market* 24 millions a year, which is added to the national wealth.

It is such *creations* that make money plenty. Destroy all the cotton mills, and the bank of the United States would stop specie payments in one year thereafter. Not because of the loss of the 24 millions above stated, but on account of the wreck of capital that would be caused, involving scores of thousands in one common ruin. Such a calamity would reduce the *circulating values* more than 100 millions of dollars a year, for the amount *created* is *turned* many times in a year, continually yielding new profits, and adding to the comforts of society. In this state of things, *Boston* would not purchase of New York, Pennsylvania, Maryland and Virginia, three hundred thousand barrels of flour a year—the trade to that town now being worth twice as much as that of all the British West Indies will be, though the whole quantity directly sent thither, shall be *added* to our general

exports to the West Indies, as some will pretend. The foreign trade makes up but a small part of the general business of the United States. It is hardly a 15th of the whole—but interesting, as balancing domestic transactions.

To conclude—How does the superabundance of money, the low rate of interest, and the plentiful revenue of the United States, comport with the *awful* predictions of Mr. *McDuffie*, in his famous report of March 12, 1828—which *three*, of the *seven* members composing the committee of ways and means, were not permitted even to know that it was contemplated until its long-drawn volume was actually presented to the house of representatives; and, many thousand copies of it were ordered to be printed—though unread! We can no more respect the *manner* in which that report was *gotten up* and published at the nation's expense, than refrain from smiling at its solemn arrayments of——a highly excited and strongly-prejudiced mind. We speak in all mildness, for we *wish* to think that Mr. McDuffie himself believed the things which he set forth. It is not worth the while, to bring forward melancholy extracts from this report—experience has already consigned them to "the tomb of all the Capulets," with the "Mumbo Jumbo" oracles of the rest of the "philosophers"—and let them rest in peace, if not digged up to be good-humoredly laughed at. But we, the friends of the "American System; stand erect! Our most sanguine expectations, our best hopes of the scanty degree of protection afforded, have been more than realized. The general commerce of our country has mightily increased, and gathers strength like an avalanche—for the dry-wiping of lachrymal prophecies! *The rate of exchanges shews that all the world is indebted to the United States, and we have so much real cash in hand that we know not how to employ it.* Here are the results that we spoke of, against the predictions of our enemies—cheering facts, against wild theories. Will not the people, in *feeling*, believe? Yes, they will believe! "The day-star of liberty" is rising in beauty; and the *free laboring people* of the United States, are seeing and feeling its influence, and rejoicing in the rewards of honorable industry: and they will teach the lazy—those who live on the labor of others, to beware of what they do, for the bone and sinew of the nation is in the free laboring people, and in every respect.

Commerce of Boston. The "Courier" has a whole column concerning the arrival and departure of vessels at or from the port of Boston, &c. during the year past. Such statements are among the most useful and interesting articles that can occupy the columns of a newspaper—and they are also important in the statistical information which they afford. We shall make a summary of some of the chief things, and present a sufficient view of the whole, for general purposes.

Arrivals from foreign ports—1830.

American,	618
English,	13
French,	2
Swedish,	3
Portuguese,	1
Total,	642

107 ships and barques
367 brigs
168 schooners } Tonnage 117,950 65-95ths.

Of these 58 were from St. Andrews, 55 Liverpool, 38 Havana, 14 Mansanilla, 33 Halifax, 26 Matanzas, 22 Porto Rico, 22 Trinidad, 21 St. Petersburg, 18 St. Johns, N. B. 16 Gottenburg, 13 Port au Prince, 12 St. Croix, 12 Cape Hayti, 11 Surrinam, 10 Smyrna, 10 St. Thomas; all else under 10.

There were 19 from Calcutta, Canton, Manilla and Batavia—20 from the ports of Holland, 22 from other British ports than Liverpool, 17 from French ports, 27 Spanish (European) ports, 29 from other ports, on the Mediterranean than those already named, chiefly Italian —49 from South American ports, &c. &c.

Arrivals coastwise.

21 ships, 396 brigs, 1,819 schooners and 702 sloops.

Of those 451 were from New York, 219 Philadelphia, 134 Baltimore, 134 Portland, 119 Richmond, 102 Eastport, 101 Salem and Beverly, 98 Albany and Troy, 91 Portsmouth, 90 Nantucket, 69 Newburyport, 64 Gloucester, 61 Plymouth, 55 Charleston, 84 Fredericksburg, 69 New Orleans, 64 Alexandria, 60 Dover—all else under 50. A large amount was from the various ports of Massachusetts, Maine, &c. and we observe, besides those mentioned, 38 from the ports of Rhode Island, 90 from those of Connecticut, 32 from those of New York, 27 from those of New Jersey and Delaware, 69 from those of Maryland and Virginia, 83 from those of North Carolina, 39 from those of Georgia, 23 from those of Florida, &c.

Total foreign arrivals	642
coasting	2,938
Supposed number of vessels with wood, lumber fishing vessels, &c.	2,000
	5,580

So much for the "dreaded factories," as the "Courier" observes. The 60 vessels that arrived from Dover, by way of example, were almost wholly employed because of the factories there.

The imports of flour during the year 1830, has been, from

	bbls.	half do.	bbls.	ha'f do.
Fredericksburg,	43,718	73		
Richmond,	42,778	566		
Norfolk,	2,164			
Walkerton, Va.	66		88,726	639
Alexandria,			43,800	1,597
Baltimore,			64,473	956
Philadelphia,			16,415	407
Delaware,			1,070	
New York,	68,333	832		
Albany and Troy,	19,437	329		
Other ports in N. Y.	1,493			
			89,263	1,161
New Haven & Hartford,			178	
Providence,			315	
Portsmouth,			652	
New Orleans,			501	
Ports in Maine,			358	
Ports in Massachusetts,			1,868	
		Bbls.	307,617	4,760

The cotton imported was 46,203 bales, of which about 1,000 were exported—and 45,203 remained for the consumption.

The "Courier" observes,

One ship could have taken all the cotton exported from Boston to foreign countries, during the year 1830. Not a pound was shipped to either of the two great cotton markets of Europe, England and France, and only about 1,000 bales to other countries, principally to the north of Europe. The import for the consumption of factories was equal to 90 full cargoes of such vessels as usually bring cotton, while the import for that portion re-shipped to Europe, was equal to only 2 cargoes.—Here is another strong proof, in opposition to the assertion, that our factories are destroying our commerce.

Clearances.

	sbips & barques	brigs	schrs.	sloops	total.
Foreign	52	348	167	0	567
Coastwise	79	378	1,305	454	2,216
Total,	131	726	1,472	454	2,783

Of the foreign clearances 536 were American.

24	" English.
2	" French.
2	" Swedish.
1	" Russian.
1	" Portuguese.
1	" Danish.
567	

The foregoing clearances were 65 more in 1830 than in 1829—and the coasting clearances *one-fourth more.*

The constitution! In the house of delegates of Maryland, Mr. Teackle offered the following resolution:

Resolved by the general assembly of Maryland, that it is expedient to amend the constitution of the United States, so as to provide for the decision of all cases, in

which the constitutionality of the state laws shall be brought in question, by the senate of the United States; and that the concurrence of two-thirds of the said senate shall be necessary to declare the law of any state unconstitutional.

JOSEPH NOURSE. It will be recollected that this old revolutionary soldier, who had filled the office of register of the treasury from the establishment of the government, was, in 1829, dismissed,—and a charge was violently and coarsely made, that he was a "public defaulter." We are not personally acquainted with Mr. Nourse—but perhaps, on account of his great age, (about 80, we are told), he should have retired from the office that he held, but to brand the venerable man with a public robbery was cruel, indeed.

He has addressed a memorial to congress—which we shall probably record at length, when our pages are a little relieved of the present pressure upon them, in which it appears, that, in July 1829, a warrant of distress was issued by the treasury department, and his household articles, wardrobe, library and bedding, seized—whereupon he filed a bill for an injunction to stay the proceedings, which led to certain doings by the district court of the United States, the result of which is—that the sum of twelve thousand three hundred and thirty-one dollars and ninety-six cents was found to be due him—which he petitions for the payment of.

COFFEE. Large quantities had been deposited in the public warehouses, for the sake of the reduced duty, which took place on the 1st inst.—15,194 bags were taken out of these stores at Baltimore, or entered, in the first week of the present year, and 19,890 bags, 75 hhds. and 84 barrels, from the stores at Philadelphia, of which 3,012 bags were imported from *London*. The late sales in Baltimore were at 11 cents for Laguira, Rio, &c. and 9 to 9¼ for St. Domingo—the extreme qualities in the market.

We shall not be surprised if the *drawback* on coffee, much exceeds the amount paid for *duty*, in the present year!

The following letter contains matter of much importance to mercantile readers.

Treasury department, comptroller's office, Jan. 4, 1831.

SIR—The secretary of the treasury has referred to me your letter to him of the 31st ult. containing the following representation, viz:—"Within the last 48 hours large quantities of coffee have been entered, but owing to the severity of the rains, a great proportion of it cannot be landed and put into the public stores. A question now arises whether or not the entry of the vessel and the entry of the coffee, bonding, &c. and its being in the possession of the officers of the customs on board ship, constitute a compliance with the law, and whether the parties, under those circumstances, are entitled to bond for it after this day at two cents per pound."

In reply, I have to observe that, according to the decisions of the department, duties accrue at the time of the arrival of the vessel at a port of entry, with intent to land the cargo thereof.

The rates of duties in force at the time of arrival are, of course, the rates which are demandable.

If, therefore, in the case under consideration, a literal compliance with the law were considered necessary, a bond without sureties for the duties on the coffee, at the rate of five cents per pound, would, in the first instance, have to be exacted; but as it appears to me that, under all the circumstances of the case, the parties are entitled according to the spirit, the reason and intention of the law, to the benefit of the reduction provided in it, they would then have to give a bond with sureties, at the rate of two cents per pound.

Under this view of the subject, I am of opinion that the first mentioned bond may be dispensed with, and that you may permit the importers at once to bond for the duties at the reduced rate. It will be proper that you should be satisfied that the coffee was all imported from a foreign port; and the bags or packages should be marked with the words "*two cents.*" Respectfully,

JOS. ANDERSON, *comptroller.*

S. Swartwout, esq. collector, New York.

BANK OF THE UNITED STATES, *Philadelphia, Jan. 5.* At an election held by the stockholders of this bank, at their banking house, on the 3d and 4th inst. the following gentlemen were chosen directors for the ensuing year, viz:

Nicholas Biddle, Thomas P. Cope, Alexander Henry, James C. Fisher, John Sergeant, John Dobler, Henry Pratt, John R. Neff, Edward Coleman, William Platt, Thomas Cadwallader, Richard Willing, Matthew L. Bevan, Langdon Cheves, of South Carolina; Robert Gilmor of Maryland; John McKim, jr. of Maryland; Campbell P. White, of New York; Isaac Carow, of New York; Thomas H. Perkins, of Massachusetts; B. W. Crowninshield, of Massachusetts.

And at a meeting of the directors, on the evening of the 4th inst. *Nicholas Biddle*, esq. was unanimously re-elected president of the board.

The bank has declared a dividend of 3½ per cent. for the last six months. Present price of the stock, dividend off, 127 *a* 127½ per cent.

NEW YORK. The following statistical facts are drawn from the late message of the governor of New York to the legislature of the state, which commenced its session on the 4th inst.

With reference to the condition of the treasury, he mentions that the general fund, which between 1826 and 1830 had been diminished from $2,637,936 to $1,344,268, has during the past year sustained a farther reduction to $1,312,466. The receipts from this fund for the ensuing year will be, of revenue $78,500, of capital $35,000, making the whole receipts $113,500, while the estimated ordinary expenses chargeable on this fund for the present year are $302,200, showing a deficiency of $188,700. The actual expenditure for the last five years has exceeded the estimates annually $94,247 on an average.—This diminution of the fund, and the cessation of all taxes since 1827, render a resort either to tax or loan necessary, for raising the current expenses of the state.

The governor remarks that the Erie canal has, by means of smaller works, either completed or in progress, nearly connected its navigation with that of lakes Ontario, Champlain, Onondaga, Cayuga and Seneca, and with Crooked lake, and the west branch of Susquehannah.

He observes—"We have the fullest assurance that the president will steadily adhere to his doctrines regarding the power of congress over roads and canals, so that the payment of the national debt, except the three per cents. will be provided for within three years."

The canal debt on the 1st instant, amounted to $7,825,035—this includes the amounts due for Erie and Champlain, Oswego, Cayuga and Seneca, and Chemung. And the business, and revenues, pledged to pay the canal debt, shews the large sum of $1,652,000 applicable to the redemption of the principal. This latter sum is made up of the nett receipts of last year (over expenses, interest, &c), of $773,834, and $878,176 for the receipts of former years. The sum applicable in the last year, was $1,402,575—*viz.* tolls 1,027,327, auction duties 180,513, salt duties, to 31st Oct. 154,332, other sources 40,403. The interest on the canal debt, was 379,695, and the sum expended by the commissioners, superintendents, collectors, &c. 249,056. The Cayuga and Seneca, and the Oswego canal, yet leave an excess of expense of 39,870 dollars; but they will, probably, soon become profitable.

The Delaware and Hudson canal, is spoken of as likely to "fulfil not only its obligations, but also the expectations which it had created."

There are 9,062 school districts in New York, of which 8,630 have made returns. In those from which reports have been received, there are 497,503 children between 5 and 16 years of age, and 499,424 scholars have been taught in the common schools. The returns show an increase, of the above mentioned age, of 24,194 since last year, and in the number taught, of 19,383.—The money apportioned in these districts was $239,718, of which $100,000 were paid from the treasury.

The Auburn prison contains 616 convicts, and 550 separate cells; the Sing-Sing 806 prisoners, and 800 separate cells. The expenditures of the former last year, including the repair of loss by fire, and the build-

ing of a hundred feet of workshops, was $36,226; and the earnings were $40,341. The governor thinks imprisonment for life should rarely be inflicted. There have been three convictions for capital crimes last year, and one execution. Seventy-six convicts have been pardoned. The house of refuge in New York is spoken of with commendation.

The militia of the state, according to the returns, amount to 190,000 men; the true number, it is thought, is more than 200,000.

Frauds on the revenue, to the amount of $21,000, have been committed by carrying off salt from the Salina salt-works without paying the duties. The reduction of the duty on foreign salt will amount on the 1st of January next to 10 cents, being 1 cent more than the value of coarse salt at the manufactory. To protect the manufacture, the governor suggests a bounty.

A part of the message is occupied with mentioning some of the difficulties which had occurred in the prosecutions for the abduction of Morgan.

[The preceding summary is chiefly taken from an abstract published in the Baltimore "American."]

BRITISH PARLIAMENT. The Liverpool election closed on Tuesday Nov. 30, during the seventh day of the election, with the choice of Mr. Ewart, by a majority of 29 votes over Mr. Dennison. At the close of each preceding day Mr. Dennison had a small majority, but on the last day an immense effort was made by the friends of the other candidate, which his opponent were unable to resist. The votes were for Mr. Ewart 2,215—Mr. Dennisnn 2,186. The total expenses of the two candidates and their friends were rising £60,000. Money appeared to be no object, and voters were bargained with in the public streets, £10, £15 and even £20, being given for a single vote. The Liverpool Mercury, in speaking of the election, says, "the present is the most profligate and demoralizing election contest we ever witnessed."

The division in the house of commons, which, by leaving ministers in a minority, led to the recent change in the British cabinet, is thus analized by the London Spectator:

The question was on appointing a select committee to examine the civil list. This the minister resisted. The ayes, therefore, are the opponents of the then ministry.

Summary analysis of the division in the house of commons on Wednesday, 15th November.

	Ayes.	*Noes.*	*Absent.*	*Total.*
England—				
Counties	48	16	18	82
Open boroughs	73	25	40	138
Nominees	63	108	87	258
Wales—				
Counties	2	4	6	12
Boroughs	4	1	7	12
Scotland—				
Counties	4	21	5	30
Boroughs	3	9	3	15
Ireland—				
Counties	29	10	25	64
Boroughs	9	12	15	36
	235	206	205	646
Relations of peers	86	75	83	244
Placemen and pentioners	3	47	10	60
Officers of the army	13	35	39	87
Officers of the navy	4	13	7	24

WHAT NEXT? Earl Stanhope has invented a calculating machine, which performs, "without the possibility of a mistake," the first four rules of arithmetic. What a labor-saving machine this must be! The following account is given of it in the New Monthly Magazine:—

Earl Stanhope's calculating machinery. The smallest machine, which is intended for the two rules of addition and subtraction, is not larger than an octavo volume; and by means of dial plates, and small indices moveable with a steel pin, the operations are performed with undeviating accuracy. The second, and by far the most curious instrument, is about half the size of a common table writing desk. By this, problems in multiplication and division, of almost any extent, are solved without the possibility of a mistake, by the simple revolution of a small winch. The multipliers and multiplicand in one instance, and the divisor and dividend in the other, are first properly arranged; then, by turning the winch, the product or quotient is found. What always appears singular and surprising to spectators is, that in working sums in division, &c. if the operator be inattentive to his business, and thereby attempts to turn the handle a single revolution more than he ought, he is instantly admonished of his mistake by the sudden springing up of a small ivory ball.

TWENTY-FIRST CONGRESS—2d SESSION.

SENATE.

January 7. Various private petitions were presented.

Mr. *Benton*, of Missouri, submitted the following resolution:

Resolved, That the committee on Indian affairs be instructed to inquire into the expediency of making appropriations to treat with the Kickapoo tribe of Indians, and with the remnants of the Peorias, Weas, Piankeshaws, Shawnees, and Kaskaskias, all in the state of Missouri, for the reliquishment of their possessory claims in said state, and removal to permanent homes beyond the limits thereof.

The bill for extinguishing the Indian titles to lands in Indiana, and the bill for the relief of Francis Larch, were ordered to be engrossed for a third reading.

The bill to reduce the price of certain public lands to one dollar per acre, was considered, and laid upon the table for the present.

Several bills for the relief of private individuals being read and referred,

On motion of Mr. *Foot*, the senate again resolved itself into a court of impeachment.

J. B. C. Lucas, W. C. Carr, and *Jesse E. Lindell*, were called, sworn and examined in behalf of the respondent. Judge *Wash* was re-examined in part.

The court then adjourned to Monday.

The senate ordered two opinions of judge *Peck* to be printed, and also adjourned to Monday.

January 10. The *vice president* laid before the senate a letter from the governor of Georgia, transmitting a copy of resolutions passed by the legislature of that state, instructing her senators and requesting her representatives in congress to oppose any measures which may be proposed by the general government for the promotion of internal improvement. They were, on motion of Mr. *Troup*, laid upon the table.

A message of an executive nature, was received from the president of the United States, by A. J. Donelson, esq. his private secretary.

A communication was received from the secretary of war, transmitting an abstract of the operations of the Indian department for the year ending on the 30th of September, 1830.

A communication was received from the secretary of the navy, transmitting a statement of the number of clerks, their names, salaries and duties, employed in that department.

Mr. *Forsyth* presented a memorial from *Joseph Nourse*, late register of the treasury of the United States, stating that while performing the duties of said office, those of agent for the disbursement of money devolved upon him; that those duties did not appertain to the station of register of the treasury, and that he claimed an extra allowance, which in the estimation of Mr. Crawford, late secretary of the treasury, he was entitled to. That on the 1st of June 1829, he was dismissed from office. That within as brief a period as possible he had prepared and presented a statement of his accounts with the government, by which he claimed a per centage of 2½ per cent. as a compensation for his services rendered as disbursing officer—that this allowance was rejected by the accounting officer of the treasury, and that on the 20th July, 1829, while absent for the benefit of his health, a warrant of distress was issued from the treasury department upon his real and personal property, library, wardrobe and bedding—that on his reaching home he filed a bill of injunction to restrain proceedings under this warrant—that under the suit thus instituted, a reference had been made of his case to three disinterested gentlemen, who

had unanimously awarded him $23,582 72 cents. This report had been sanctioned by the United States district court, and that by the report of the auditor, there were still due him of this amount $12,231 96, he therefore prays congress to pass a law authorizing the payment thereof.

The memorial was referred to the committee of claims.

Several other memorials were presented.

Mr. *Hendricks* moved a resolution requiring of the secretary of war to communicate a certain survey of the Wabash river.

Various resolutions and reports being submitted and read, the resolutions moved by Mr. *Benton* on Friday were adopted.

On motion of Mr. *Foot*, of Connecticut, the senate again resolved itself into a high court of impeachment.

Mr. *Meredith* apologised for the absence of Mr. *Wirt*, occasioned by indisposition.

The depositions of *Edward Bates, John Bent*, and *Samuel Merry*, in behalf of the respondent, were, with the exception of certain parts expunged by agreement, and agreeable to a decision of the court, received and read as evidence. Judge *Carr* was again called and re-examined, and two or three other witnesses gave their testimony. The whole evidence was closed, with the exception of some papers in the general land office, the production and reading of which may occupy a short time to-morrow morning; and then the arguments of the managers and counsel commence.

January 11. The vice president communicated letters from the navy commissioners, and secretary of the treasury. Mr. *Troup* presented several resolutions of the legislature of Georgia, relative to their boundary line and that of the territory of Florida.

Several petitions and reports of a private nature were presented.

Mr. *Hendricks* submitted the following resolution:

Resolved, That the committee on roads and canals be instructed to inquire into the expediency of making an appropriation for the progress of the Cumberland road in the state of Indiana.

Mr. *Ruggles* submitted the following resolution:

Resolved, That the committee on roads and canals be instructed to inquire into the expediency of making an appropriation for the construction of the Cumberland road westwardly of Zanesville, in the state of Ohio.

The remainder of the day was consumed in the production and examination of documentary evidence and oral testimony in the case of judge *Peck*. Colonel *Benton* was called to prove the correctness of certain extracts translated by him from a Spanish ordinance into English. Colonel *Lawless*, Mr. *Geyer*, and one or two other witnesses were re-examined. Finally, at about 4 o'clock, it was announced by the managers for the house and the counsel for the respondent, that the evidence was closed, and that they would proceed with the argument to-morrow. Adjourned.

January 12. Several memorials were presented.

The bill to authorize the construction of three schooners for the naval service of the United States, passed by the house of representatives, was twice read, and referred to the committee on naval affairs. [These are intended for despatch vessels.]

The bill respecting town and village commons, passed by the senate, was received from the other house, with amendments; which were referred to the committee on public lands.

Mr. *McKinley* submitted the following resolution:

Resolved, That the committee on private land claims inquire into the expediency of amending the act of the last session of congress for the reinvestigation of certain land claims in the territory of Arkansas.

Mr. *Chambers* gave notice that he should to-morrow ask leave to introduce a bill for the settlement of the claims of certain states therein mentioned.

The supplement to the act of the last session, concerning the right of pre-emption to settlers on the public lands, and the bill to incorporate the St. Vincent orphan asylum, were ordered to be engrossed for a third reading.

On motion of Mr. *Foot*, the senate again resolved itself into a high court of impeachment.

In consequence of the continued indisposition of Mr. *Wirt*, Mr. *Tazewell* moved an adjournment of the court till to-morrow, when his physicians thought he might be sufficiently restored to attend the trial.

The court accordingly adjourned.

On motion of Mr. *Tazewell*, the senate then proceeded to the consideration of executive business; and, after spending some time thereon, adjourned till eleven o'clock to-morrow morning.

January 13. Several petitions and reports being presented,

Mr. *Smith*, of Maryland submitted a resolution requiring of the secretary of war, information whether any land adjoining Fort McHenry be necessary for the safety of the fortifications, and the price, &c.

Mr. *Benton* submitted a resolution requiring information as to the annual amount imported of certain drugs.

Mr. *Chambers* reported a bill relative to the payment of the claims of certain states.

The bill relative to the boundary line between Florida and Alabama, was ordered to be engrossed for a third reading.

On motion of Mr. *Foot*, the senate again resolved itself into a high court of impeachment; but owing to the continued indisposition of Mr. *Wirt*, adjourned until Monday next.

The senate took up the bill to pay an annuity to the Seneca tribe of Indians—the bill after some little discussion, was postponed until to-morrow.

On motion of Mr. *Sanford*, the bill relative to gold coins was ordered to be engrossed for a third reading.

The resolution relative to the amendment of the constitution, as regards the election of the president, was considered and laid on the table.

The senate then went into executive business, and after remaining in secret session an hour and a half adjourned.

HOUSE OF REPRESENTATIVES.

Thursday, Jan. 6. Mr. *Verplanck*, from the committee of ways and means, reported a bill making appropriations for the military service of the United States for the year 1831; which was twice read and committed.

The bill from the senate, to amend an act, entitled "an act to provide for paying to the state of Illinois three per cent. of the nett proceeds arising from the sales of the public lands within the same," was read the third time and passed, and returned to the senate.

Mr. *Vinton* rose and said he had yesterday voted with the majority in the rejection of the bill "authorizing a change in the disposal of land granted for the Illinois and Michigan canal." Understanding that, if the vote was reconsidered, the gentleman from Illinois would move such a modification of the bill as would make it more acceptable to the house, he had risen for the purpose of making that motion.

Mr. *Clay* moved to postpone the consideration of the motion till the 20th instant.

Mr. *Haynes* moved to postpone it indefinitely.

The *speaker* said that the motion was not in order—a motion to postpone to a day certain had the preference.

Mr. *Haynes* then moved to postpone the motion of Mr. *Vinton* to the 3d day of March.

The *speaker* said that this motion was not in order, it was not a privileged question.

Mr. *Drayton* moved that the motion lie on the table.

The question being put on this motion, it was decided in the negative, ayes 65, noes 84.

Mr. *Potter* renewed the motion for indefinite postponement.

The *speaker* again decided that the motion was not in order.

Mr. *Haynes* again moved to postpone the motion to the 3d of March: it was his opinion that the question should be first put on the longest time proposed.

The *speaker* said—It is not mine.

Mr. *Duncan* hoped the postponement to a day certain would take place. He would give the gentleman from South Carolina a reason for wishing it postponed, as he was at a loss for one. Mr. D. said he had no doubt, and it was a general opinion, that the speech of the member from North Carolina, (Mr. *Barringer*), against the

bill, yesterday, was the cause of its rejection. He said that the objection urged in the speech of Mr. B. was chiefly on account of the claim made in the messages of the late, and present governor of Illinois, to all the public lands. He said, it would be remembered, that that gentleman had warned the house against giving money for land which the state was claiming, and would hereafter claim as her own. Mr. D. remarked that the legislature of the state was now in session, and, by the day fixed, we shall see whether it sanctions or adopts the recommendations of the governors. He did not think, however, that the question of the right of the state, or the claim set up by the governors, ought to be introduced into the debate on this bill, or in this house; as it was strictly a legal question, that must, if seriously entertained, be settled by another tribunal. Mr. D. had other reasons for wishing time; many of the friends to the measure were opposed to the details of the bill, which he hoped might be obviated by a little consultation.

Mr. *Vance* said he saw no reason for thus destroying the bill. It was one of great importance to the western country, and one which it was desirable to pass: but, if gentlemen would force a vote upon it at this time, without giving time for consultation, and an opportunity of so modifying it as to suit the views of members, he should call for the yeas and nays on the postponement, so that the people of that section of the country, interested in its passage, might be enabled to learn how their representatives had voted. He demanded the yeas and nays, and they were ordered by the house.

The question was then put on the postponement of the reconsideration of the bill till the 13th instant, and decided in the affirmative as follows: ayes 94, noes 87.

The *speaker* laid before the house the following letter:

Department of war, Jan. 5, 1831.

To the speaker of the house of representatives:

I present a report from the pension office, agreeably to the directions contained in a joint resolution which passed at the last session of congress relative to rejected applications for pensions.

I have felt some difficulty in comprehending fully the intention of the resolution, and embarrassment in determining, precisely, the course to be pursued in relation to it. It requires the secretary of war to furnish "a list of such persons as, in his opinion, ought to be placed on the pension roll, or otherwise provided for, and for doing which he has no sufficient power or authority."

This requirement necessarily includes all rejected cases—cases of every description, which are not within the provisions of the act of 1820. The applicant may not be in a situation to be considered indigent. He may not have served nine months in continental service; or, if he did, the ability to prove it may be wanting. Under such circumstances, the application for a pension must be rejected. The power and authority which the secretary of war possesses, are those only which are confided by the act: those cases which are not brought within its provisions, must be rejected.

Under all the circumstances, therefore, I have considered it adviseable to present all the cases which have been rejected, with the reasons of the rejection, briefly stated, that congress, possessed of all the facts, may determine how far further legislation may be necessary.

Very respectfully, J. H. EATON.

Many resolutions about surveys, light-houses, &c. were offered and disposed of.

A considerable debate took place on the bill to authorize a lateral rail road to Washington, by the Baltimore and Ohio rail road company. It was finally referred to the committee on the District of Columbia, on the ground that the wishes of the people of the district should be consulted, &c. For which reference 66, against it 57.

Friday Jan. 7. Mr. *Mc Duffie* from the committee of ways and means, reported a bill "to reduce the bounty on pickled fish exported."

The bill was twice read, and, after a few remarks from Mr. McD. he moved that it be engrossed for a third reading to-morrow.

Mr. *Anderson* opposed the motion and the bill.—He did not wish it to be hastily acted upon. If he understood the object of the bill, it would have a very injurious effect on the commerce and navigation of the United States. The fisheries were a nursery for seamen; and if they were destroyed, it would be impossible to put a forty-four gun frigate afloat, &c. He hoped the motion for engrossment would not prevail.

Mr. *Reed* said the bill was of an important nature. As to the propriety of encouraging the fisheries, he referred to a report made by Mr. Jefferson, while secretary of state, on the subject, and stated that it ought to be in the hands of every member; it was now out of print, and he remarked that, if no other member did, he should himself move for its being reprinted. He desired the postponement of the bill. No fisherman would pursue his business without encouragement from the nation, and it was a branch of business that deserved encouragement. If the bounty was withdrawn, it would now perhaps affect but a small portion of the country; but, eventually the whole nation would feel the effects of the measure proposed. It would be in vain to build ships for the navy if the fisheries were not encouraged; for it was well known that they were the nurseries for seamen, and should be earnestly looked to, and properly encouraged, Destroy the fisheries and no seamen could be had to man the navy of the country.

Mr. *Mc Duffie* said that the gentleman who had just spoken had entirely misapprehended the nature of the bill. It was well known that there was a law allowing a bounty on the tonnage of fishing vessels, for the encouragement of the business. There was also an express law allowing a bounty on pickled fish exported. Following up the law of the last session, which reduced the duty on salt, the committee of ways and means had thought it expedient to report this bill. The present law allowed twenty cents per bushel for all foreign salt consumed in the fisheries, by way of drawback of the duty. The duty now was but ten cents per bushel; and he considered it a fraud on the revenue to allow twenty cents per bushel on salt to cover a duty of ten cents. He would, however, for the accommodation of the gentleman, move the postponement of the consideration of the bill till Monday next.

Mr. *Martin* was in favor of the postponement; but he informed the house that he was opposed to all bounties. His wish was to have the system modified, and it was his opinion that there should be no drawback hereafter. He would repeal them all.

Mr. *Whittlesey* was opposed to the postponement. He thought the bill should now be acted upon, and he hoped it would pass in its present shape.

The question was then put on the postponement of the consideration of the bill till Monday next; and decided in the affirmative.

A message was received from the president covering a communication from the navy department, suggesting certain amendments in the manner of keeping accounts in the fourth auditor's office.

The bill to amend the several acts respecting copy rights, was read the third time, passed, and sent to the senate for concurrence.

The house then took up in committee of the whole the bill for the relief of James Monroe. The question being on the motion made by Mr. *Whittlesey* to strike out the enacting clause, Mr. *Williams* opposed the bill at considerable length; Mr. *Pearce* advocated it. When he had concluded, the committee rose, and Mr. *Mercer* gave notice that he should ask the house to resume its consideration on Monday.

Monday, Jan. 10. The usual presentation of petitions being over, several reports were made.

Mr. *Hall*, from the committee on public expenditures, to which had been referred a resolution, offered by Mr. *Chilton*, some days since, relative to the pay of members of congress, reported a joint resolution relative thereto; which was read, and ordered to be printed.

On motion of Mr. *Wingate*, it was

Resolved, That the committee on commerce be instructed to inquire into the expediency of making an appropriation for the purpose of removing obstructions in, and of improving the channel of the Cathanee river, in the state of Maine, and that the documents on file, relating to this subject, be referred to said committee.

Mr. *Thompson*, of Georgia, laid upon the table a resolution authorising the printing and binding of 60,000 copies of the abstract of infantry tactics.

Mr. *Drayton* laid the following on the table.

Resolved, That the secretary of war be directed to communicate to this house whether the existing laws do not provide for a greater number of cadets at the United States' military academy, than is consistent with the objects for which it was established; and if so, that he do report a plan and organization for that academy, corresponding with the alterations and reductions which may be deemed expedient.

Mr. *Pearce*, offered a resolution requiring patentees to advertise notices of all patents to them issued.

Mr. *Trezvant* submitted the following resolution:

Resolved, That the committee of ways and means be instructed, to report a bill to reduce the existing duties on imported goods, to take effect after the payment of the public debt, so as to raise a revenue adequate to the support of the government under an economical administration of its affairs.

Mr. *Condict* demanded the question of consideration; and

Mr. *Trezvant* called for the yeas and nays on the question.

They were ordered by the house, and, being taken, stood as follows:

YEAS—Messrs. Alexander, Allen, Alston, Anderson, Aug. I Archer, Barnwell, Baylor, Bell, James Blair, John Blair, Boulding, Broadhead, Cambreleng, Campbell, Carson, Chandler, Claiborne, Clay, Coke, Conner, Crockeron, Warren R. Davis, Deb r ry, Desha, De Witt, Draper, Drayton, Dudley, Foster, Gaither, Gordon, Green, Hall, Hammons, Harvey, Haynes, Hinds, Holland, Hubbard, Cave Johnson, Lamar, Lecompte, L nt Lewis, Loyall, Lumpkin, Martin, McCoy, McIntire, Nuckolls, Patton, Pettis, Polk, Potter, Rencher, Roane, Wm. B. Shepard, Aug. H. Shepperd, Speight, Standefer, Tahaferro, Wiley Thompson, Trezvant, Tucker, Verplanck, Wayne, Weeks, Camp. P. White, Wilde, Williams, Wingate—73.

NAYS—Messrs. Armstrong, Arnold, Bailey, N. Barber, Bates, Bockee, Boon, Borst, Brown, Burges, Butman, Cahoon, Chilton, Clark, Coleman, Condict, Cooper, Coulter, Crane, Crawford, Crockett, Creighton, Crowninshield, Daniel, John Davis, Denny, Dickinson, Doddridge, Dorsey, Duncan, Dwight, Eager, Earll, Ellsworth, Joshua Evans, Edward Everett, Horace Everett, Findlay, Fitch, Ford, Gilmore, Gorham, Grennell, Gurley, Halsey, Hawkins, Hemphill, Hodges, Hoffman, Howard, Hughes, Hunt, Huntington, Ihrie, Ingersoll, Thomas Irwin, William W. Irvin, Jennings, Johns, Rd. M. Johnson, Kendall, Kennon, Kincaid, Perkins King, Leavitt, Leiper, Letcher, Lyon, Magee, Mallary, Marr, Martindale, Thomas Maxwell, Lewis Maxwell, McCreery, Mercer, Miller, Mitchell, Monell, Muhlenburg, Norton, Pearce, Pierson, Powers, Reed, Richardson, Rose, Russel, Sanford, Scott, Shields, Sill, Sterigere, W. L. Storrs, Strong, Sutherland, Swann, Swift, Taylor, Test, John Thomson, Tracy, Vance, Varnum, Vinton, Washington, Whittlesey, Ed. D. White, Wilson, Yancy, Young—111.

So the house refused to consider the resolution.

On motion of Mr. *Washington*, it was

Resolved, That the committee on internal improvements be instructed to inquire into the expediency of authorising such appropriation by the United States, as may be sufficient to turnpike the mail road between Rockville and the Monocacy bridge, in Maryland; and into the expediency of having said road made under the superintendence of the United States' engineers; and, when completed, to be transferred to the president and directors of the Washington turnpike company, on the express condition that no higher tolls shall be collected on the part of the road made by the United States than will suffice to keep the road in perfect repair, and pay the salaries of toll gatherers.

The bill authorising the building of three schooners was reported and ordered to be engrossed for a third reading.

The bill authorising the president to cause a survey, select a site, and build an armory on the western waters, was considered in committee of the whole. Mr. *Drayton* advocated the bill. He was followed on the same side by Mr. *R. M. Johnson*, of Kentucky, who was grateful to the chairman of the military committee for reporting and sustaining the bill. Mr. *Johnson* was willing to trust the selection of the site to the president. Mr. *McCoy* was unwilling to vote an appropriation for a survey, as one had already been made and Pittsburg fixed on as the most desirable sight. Mr. *Chilton* thought the bill defective, inasmuch as it placed too much money in the hands of the president, and imposed too small a restraint upon him. Mr. *Carson* opposed the bill. Mr. *Johnson* replied to Mr. *Carson* and advocated the bill as a measure called for by the wants of the west. Mr. *Irvin* of Ohio, commented upon what had fallen from Mr. *Chilton*, and was willing to trust the power, contemplated to be delegated by the bill to the president, in his hands. Mr. *Chilton*, rejoined, and called for the yeas and nays on the bill, when the question should be taken, which were ordered by the house; but before the question was put, the house adjourned.

Tuesday, Jan. 11. Several petitions and memorials were presented.

Mr. *Wickliffe* reported a bill authorising the president of the United States to change the location of the land offices.

Mr. *Huffman* reported a bill "to carry into effect the act to provide for a survey of the coast of the United States," which was twice read and committed.

Mr. *Drayton* reported the bill from the senate, to authorise the mounting and equipment of a part of the army without amendment. The resolutions moved by Mr. *Drayton*, and Mr. *Thompson*, of Georgia, yesterday, were considered and agreed to.

The committee on the judiciary was discharged from the further consideration of the resolution, referred to them on the 14th December, instructing them to inquire into the expediency of reporting a bill comprising all the acts and provisions now in force on the subject of the naturalization of aliens, and it was laid on the table.

Mr. *Haynes* submitted the following resolution; and remarked, on offering it, that, as the subject of it was interesting to every part of the community, he hoped it would not be denied the courtesy of a consideration.

Resolved, That the committee of ways and means be instructed to inquire into the expediency of reducing the duty on brown sugar, imported into the U. States from foreign countries.

Mr. *Hannegan* required a similar resolution had not already been offered at the present session.

The *speaker* replied, that there had been so many resolutions offered, he could not take it upon himself to answer the question.

Mr. *Condict* demanded the question of consideration.

Mr. *Haynes* asked if he could have an opportunity to modify the resolution, before the question of consideration was put.

The *speaker* answered in the affirmative.

Mr. *Haynes* then modified his motion, to read as follows:

Whereas, without a considerable diminution of revenue, the public debt will, in a very few years, be redeemed and discharged: And whereas, the end of republican government is the prosperity and happiness of the people: And whereas, this end cannot be more certainly promoted than by a system of taxation which shall leave the largest portion of the products of labor in the pockets of the people: And whereas, the necessaries of life should as far as practicable, be exempted from taxation: And whereas, brown sugar has become an article of great and necessary consumption among all classes: And whereas, the present duty on that article, imported from foreign countries, bears an unjust and extravagant proportion to the original cost in foreign markets: And whereas, there is good reason to believe that the tax collected by the government upon its importation, amounting to one million four hundred and thirty-four thousand nine hundred and sixty-one dollars, and eleven cents, is less than half the sum taken from the pockets of the people under the operation of the existing duty, the quantity manufactured in the United States within the year 1830, having been estimated at one hundred thousand hogsheads, equal to one hundred millions of pounds, at three cents per pound, protecting duty, equal to three millions of dollars—

Resolved, That the committee of ways and means be instructed to inquire into the expediency of reducing the duty on brown sugar imported into the United States from foreign countries.

On this resolution Mr. *Condict* demanded the question of consideration.

Mr. *Martin* suggested that the better course would be, to move to lay the resolution on the table; and Mr. *Condict* so varied his motion; when

Mr. *Denny* renewed the demand for the question of consideration.

Mr. *Cambreleng* called for the yeas and nays on the question, and they were ordered by the house. Being taken, they stood as follows—Yeas 89, nays 85.

So the house determined to consider the resolution.

[As on the *adoption* of the resolution, we shall probably have another and more full set of yeas and nays, they are omitted now.

The *speaker* laid before the house two communications from the secretary of the navy.

The bill to provide for paying to the states of Missouri, Mississippi and Alabama, their 3 per cent. of the nett proceeds of the sales of the public lands within the same was considered. The question being put on its final passage, it was determined in the affirmative—ayes 74, nays 45.

Other business was attended to, which will sufficiently appear in its progress. Adjourned.

Wednesday Jan. 12. Mr. *Irwin*, of Pa. presented certain resolutions adopted at a public meeting of the citizens of the county of Fayette, in the state of Penn-

sylvania, expressive of their opinion of the propriety on the part of congress, of making appropriations for the repair of the Cumberland road, and for a subscription of stock in the western section of the Chesapeake and Ohio canal; which resolutions were referred to the committee on internal improvements, and ordered to be printed.

Mr. *Buchanan*, one of the managers appointed to conduct the impeachment of judge Peck before the senate of the United States, informed the house that all the evidence had been examined, both on the part of the United States and the respondent; but that, on account of the indisposition of one of the counsel for the accused, the high court of impeachment had adjourned to 12 o'clock to-morrow.

Mr. *Bell*, from the committee on Indian affairs, reported the bill from the senate, "to enable the president of the United States to extinguish the Indian title to lands within the state of Indiana," without amendment, and the bill was committed.

The house then resumed the consideration of the resolution, yesterday moved by Mr. *Haynes*, of Georgia, for the reduction of the duty on imported brown sugar. Mr. *Haynes* resumed and concluded the speech which he began yesterday in favor of the resolution. Mr. *Alexander* followed in support of the resolution.

When Mr. *Alexander* took his seat, Mr. *White*, of Louisiana, obtained the floor; but the allotted hour being about expiring, the house proceeded to the orders of the day.

[The debate goes over to next day, and Mr. *White* is then entitled to the floor.]

Mr. *Hall* moved to recommit the report of the committee on public expenditures, made on the 7th instant, relative to the mileage of members of congress: and Mr. *Chilton* offered a series of instructions to the committee, and Mr. *Hall* moved a substitute—both propositions were postponed until the next day.

A communication was received from the president enclosing a list of patents granted—which were referred to the committee on the judiciary.

The bill making appropriations for the payment of revolutionary and invalid pensioners, was ordered to be engrossed for a third reading to-morrow.

The house proceeded to consider the amendments yesterday reported from the committee of the whole, to the bill, making appropriations for the support of government for the year 1831, and they were all agreed to but one, which provided for the appropriation of $8,000 for the survey of private land claims, and $130,000 for further surveys of the public lands.

Mr. *Mc Coy* moved to amend the amendment, by striking out $130,000, and inserting $60,000.

On this motion a debate arose, which continued until 4 o'clock. The propriety of adopting it was supported by Messrs. *Mc Coy*, *Vinton*, and *Strong*; and opposed by Messrs. *Test*, *Johnson*, *Clay*, *Verplanck*, *Sevier*, *Duncan*, *Wickliffe*, *White*, of Florida, *Pettis* and *Polk*. Messrs. *Ingersoll* and *Storrs*, of New York, likewise said a few words. The motion of Mr. *Mc Coy* was finally rejected, and the amendment proposed by the committee agreed to.

The question being then about to be put on the engrossment of the bill,

Mr. *Stanberry* moved to strike out the appropriation for the salary of a minister to Russia for the present year. Mr. S. remarked, that the president had informed the house that the United States were not represented at the court of Russia, nor was it probable, Mr. S. said, that they soon would be. Under such circumstances, an appropriation certainly was not necessary, and he hoped it would be stricken out of the bill. He called for the yeas and nays on his motion; when,

On motion of Mr. *Carson* the house adjourned.

Thursday, Jan. 13. Several petitions were presented.

Mr. *Mallary*, from the committee on manufactures, made a report on the part of the president's message which relates to the tariff of duties on imports, and so much thereof as relates to manufactures.

Mr. *Monell* from the same committee, made a counter report—both reports were ordered to be printed.

Mr. *Doddridge* reported the bill to authorise the construction of a lateral branch of the Baltimore and Ohio rail road, with amendments.

The bill relative to revolutionary pensioners was read and passed.

The house then took up the general appropriation bill, and the question occurring on the motion of Mr. *Stanberry*, to strike out the appropriation for the salary of the minister to Russia, a debate ensued, which continued till nearly four o'clock.

BRITISH WEST INDIA TRADE.

List of papers accompanying the message of the president of the 3d January, 1831.

Extracts of a letter from Mr. Van Buren to Mr. McLane, dated 20th July, 1829.

Extract of a letter from same to same, dated 5th August, 1829.

Copy of a letter from Mr. McLane to the earl of Aberdeen, dated 12th December, 1829.

Copy of a letter from the earl of Aberdeen to Mr. McLane, dated 14th December, 1829.

Copy of a letter from Mr. Van Buren to Mr. McLane, dated 26th December, 1829.

Copy of a letter from Mr. McLane to the earl of Aberdeen, dated 16th March, 1830.

Extract of a letter from Mr. McLane to Mr. Van Buren, dated 6th April, 1830.

Extract of a letter from Mr. Van Buren to Mr. McLane, dated 18th June, 1830.

Copy of a letter from Mr. McLane to the earl of Aberdeen, dated 12th July, 1830.

Copy of a letter from same to Mr. Van Buren, dated 20th August, 1830.

Copy of a letter from the earl of Aberdeen to Mr. McLane, dated 17th August, 1830.

Copy of a letter from Mr. Van Buren to Mr. McLane, dated 5th October, 1830.

Copy of a proclamation of the president, dated 5th October, 1830.

Copy of a circular. Instructions from the treasury to the collectors, dated 6th October, 1830.

Extract of a letter from Mr. McLane to Mr. Van Buren, dated 6th November, 1830.

Copy of a letter from Mr. McLane to the earl of Aberdeen, dated 3d November, 1830.

Copy of a letter from the earl of Aberdeen to Mr. McLane, dated 5th November, 1830.

Copy of the British order in council, dated 5th November, 1830.

Copy of the British schedule of duties.

Extract of a letter from Mr. McLane to Mr. Van Buren, dated 22d November, 1830.

Extracts of a letter from Mr. Van Buren to Mr. McLane, dated July 20, 1829.

First. The trade between the United States and the British American colonies. The policy of the United States in relation to their commercial intercourse with other nations is founded on principles of perfect equality and reciprocity. By the adoption of these principles, they have endeavored to relieve themselves from the discussions, discontents and embarrassments, inseparable from the imposition of burthensome discriminations. These principles were avowed whilst they were yet struggling for their independence, are recorded in their first treaty, and have since been adhered to with the most scrupulous fidelity. In the year 1815, they repealed all their acts imposing discriminating tonnage duties on foreign ships or vessels, and of impost, so far as respected the produce or manufacture of the nations to which such foreign ships or vessels might belong—such repeal to take effect in favor of any foreign nation which should abolish similar duties, so far as they operated to the disadvantage of the United States.

In the year 1817, they restricted the importation into the United States, in foreign vessels, to articles of the growth, produce, or manufacture of the country to which such vessels belonged, or as could only be, or were most usually shipped in the first instance from such country; provided that such regulation should not extend to the vessels of any foreign nation which had not adopted, or should not adopt a similar regulation with regard to them.

In the year 1824, they declared the suspension of all discriminating duties, in relation to the vessels and pro-

duce of several European nations, and of their territories in Europe, which had accepted of the terms proffered by the act of 1815, and conferred authority upon the president to extend the same exemption to all nations thereafter complying with its requirements; and in 1828, an act was passed, authorising the president to extend the exemption in regard to alien duties, which, by the acts of 1815 and 1824, was restricted to the productions of the country to which the vessel belongs, to the productions of any foreign country imported into the United States in the vessels of any nation which would allow a similar exemption in favor of the United States.

The terms proposed by our act of 1815 were adopted in the commercial treaty between the United States and Great Britain in the same year, which has been twice extended, and is now in full force. By it, the commercial intercourse between the United States and the British possessions in Europe is established upon just and equal terms. The United States desired to place their trade with the British American colonies on the same footing. The government of Great Britain would not then consent to that arrangement, and it was consequently stipulated in the treaty that the intercourse between the United States and his Britannic majesty's possessions in the West Indies, and on the continent of North America, should not be affected by any of its provisions, and that each party should remain in complete possession of its respective rights with regard to such intercourse. The trade and intercourse between the United States and the British colonies previous to, and at that time, were only such as were permitted by British legislation, or regulation by orders in council. It had always been of a restricted and unequal character, and every previous attempt to place it upon just terms had wholly failed. Since 1815, both governments have uniformly admitted it to be their belief that a commercial intercourse between the United States and the British colonial possessions referred to, upon terms of fair reciprocity, would promote their mutual interests.

To establish it upon such terms has always been the sincere object of this country, and, until a very late period, the avowed wish of Great Britian.

The twelve years which have elapsed have, with occasional intermissions, been employed in endeavors to arrange those terms by negotiation, or to secure them through the agency of separate legislative enactments; and although the two governments have more than once concurred in each other's views as to the conditions to which they would assent, their respective acts have resulted in the almost entire suppression of the trade. Since the 1st December, 1826, there has been a total non-intercourse between the United States and the British American colonies in British vessels, and the same in regard to American vessels, (with the exception of the permission allowed to the latter, to carry on a direct trade with the British North American possessions, the Bahama islands, and the island of Anguilla, upon terms prescribed by Great Britain alone.) The act of the two governments which have led to this result are so intimately connected with the positions which they respectively occupy, and of a nature calculated to have so much influence on the measures of conciliation and redress which may be adopted, as to render it important that they should be fully known and accurately understood. Your participation in the public councils has given you a general view of their principal outlines; but it is thought advisable to furnish you with a more particular exposition than the opportunities you have enjoyed would allow you to obtain. A very brief sketch of such as are most prominent is, with this view, submitted to you.

The direct trade between the United States and Great Britain was found to be so interwoven with, and dependent upon, that between the United States and the colonies, as, in a great measure, to deprive the former of the advantages intended to be secured to them by the treaty of 1815, so long as the intercourse with the colonies was monopolized by British navigators. Several efforts were consequently made, between the years 1815 and 1818, to induce the British government to adjust this collision of interests by amicable negotiation. They were unsuccessful. In 1817, a proposition was submitted to our minister at London by the secretary of state for foreign affairs, lord Castlereagh, which was said to contain all that could then be assented to by Great Britain towards admitting the United States to a participation in the trade between them and the colonies. By this it was proposed to extend to the United States the provisions of their free port acts, which authorised a limited trade with portions of her colonies to the colonial inhabitants of foreign European possessions, in vessels of one deck, with some additional provisions in relation to the trade with Bermuda, Turks island, and the British territories in North America.

The terms contained in this proposition were decided by the government of the United States to be inadmissible, and countervailing measures were resorted to.

The act of congress of the 18th of April, 1818, concerning navigation, was passed. Its object was to counteract acts of a like character long before existing on the part of Great Britain, restrictive of the trade with her colonies in vessels of the United States. By that act, the ports of the United States were closed against British vessels coming from any British colony, which was, *by the ordinary laws of navigation and trade*, closed against vessels of the United States; and British vessels sailing with cargoes from ports of the United States were laid under bonds to land their cargoes in some port or place other than a colony closed against vessels of the United States.

The negotiation was in the same year renewed, and another attempt, equally unsuccessful, was made to open the trade, and establish it upon principles which were claimed by our government to be those of fair reciprocity.

The act of congress of the 15th of May, 1820, "supplementary to an act, entitled, an act concerning navigation," followed. By it, the ports of the United States were, after a certain day, closed against British vessels coming or arriving by sea from *any* British colonial port in the West Indies or America; and similar bonds were required from British vessels sailing from the ports of the United States, not to land their cargoes in any British American colony. Articles of British West Indian and North American produce were allowed by this act to be imported into the United States, only direct from the colony of which they were wholly the produce, growth, or manufacture. Thus establishing a non-intercourse in *British* vessels with all the British American colonies, and prohibiting the introduction into the United States of all articles the produce of those colonies, except that of each colony imported directly from itself.

Such was the relative state of the intercourse between the United States and the British colonies, respectively, from September, 1820, till the passing of the act of parliament of the 24th of June, 1822, and the consequent proclamation of the president.

By the act of the 6th of May, 1822, in anticipation of the passage of the British act last referred to, congress authorised the president, upon his being satisfied that the British colonial ports were opened to the vessels of the United States, to open their ports to British vessels upon terms of reciprocal advantage. The act of parliament of June, 1822, repealed several existing acts, and opened certain of the colonial ports to the admission of American vessels laden with certain articles of American produce, upon specified conditions, and restricting the intercourse to the direct trade between the United States and the colonies. The president, by his proclamation, issued immediately after the receipt of the British act, opened the ports of the United States to British vessels engaged in the colonial trade, subject to a like restriction, and upon terms which were deemed to be of reciprocal and equal advantage, *but retaining our discriminating duties.* The retention of the discriminating duties was made the subject of complaint and discussion on the part of the British government. The measure was justified by ours, as being only a fair equivalent for the imposition of protecting duties on American produce in all, and export duties in some of the colonies.

The king had authority, by act of parliament, to interdict the trade to all nations which refused to allow privileges to British vessels engaged in the colonial trade, equal to those granted to foreign vessels by the act of the 24th of June, 1822, and, also, to impose countervailing duties; but neither power was then exercised.

The act of congress of the 1st of March, 1823, was the next material step in the movements of the two governments. At the period of its passage the two countries were engaged in an extensive and valuable trade between the United States and the colonies, by virtue of the British act of parliament and the president's proclamation, our discriminating duties remaining unrepealed, but continuing to be a cause of complaint on the part of Great Britain.

The influence which the passage of this act has obviously had upon the course of affairs in relation to the trade in question, together with the circumstance that the closing of our ports was the effect of its terms, renders it important that its provisions should be distinctly understood. They were in substance the following:

1st. It continued the suspension of the acts of 1818 and 1820, already effected by the president's proclamation, and opened our ports to a *direct* trade only with such of the British colonial ports as had been opened to us by the act of parliament of June, 1822, subject, as things then stood, to the payment by British vessels of our alien or discriminating duties.

2ndly. It put forth a claim which had been previously advanced by us in our negotiations upon the subject, but always resisted by Great Britain, viz: that no higher duties should be imposed upon the productions of the United States in the British colonial ports than upon those of Great Britain herself, or her other colonies, and which had been levied for the protection of their own produce. This was done by giving an authority to the president to suspend the payment of our discriminating duties by British vessels coming from the colonies, upon being satisfied that no such duties were levied in the colonies on our produce, and by declaring that, until such evidence was given, payment should continue to be exacted.

3rdly. It restricted the trade to such British vessels as had come directly from the colonial ports, and had not touched at any other port after they left the colony.

4thly. It declared that its provisions should only be in force so long as the privileges granted by the act of parliament of June, 1822, were allowed to our vessels, and that if at any time thereafter, the trade, or any part of it, was prohibited to us by Great Britain, through an act of parliament or order in council, and that fact proclaimed by the president, each and every of its provisions should cease, and the acts of 1818 and 1820 be revived and in full force.

The passage of this act was followed by the exercise of the authority given to the king to impose countervailing duties; and they were accordingly imposed to an amount equal to ours, by an order in council of the 21st July, 1823, upon all American vessels and their cargoes arriving in the colonial ports. Under these reciprocal impositions, the trade between the United States and the colonies was carried on from that time, until it was suppressed by both governments, in the manner hereinafter stated.

The negotiation was resumed by Mr. Rush in January, 1824. In its course, propositions for regulating the trade were submitted by him, which received the assent of the British plenipotentiaries, with the exception of that prohibiting the imposition of protecting duties in the colonies, to which their dissent was expressed in the strongest terms.

Mr. Rush's instructions precluded him from settling the matter upon any other terms, and the negotiation was suspended in the month of June following.

On the 5th of July, 1825, an act of parliament was passed, allowing the trade with the British colonies in North America, and the West Indies to all foreign nations, upon conditions which will be hereafter referred to. It limited the privileges thus granted to foreign vessels to the ships of those countries, not having colonies, which should place the commerce and navigation of Great Britain, and her possessions abroad, upon the footing of the most favored nation, unless the king, by order in council, should in any case deem it expedient to grant the whole or any of such privileges to the ships of any foreign country, although the required condition was not in all respects complied with by such country.

Mr. King was sent to England in the summer of 1825, but without instructions upon this point. His continued indisposition induced him to return in the summer of 1826, and during that period no step was taken by either government.

In the winter of 1825-'6, an attempt was made in congress to meet the act of parliament of July, 1825, by correspondent legislation; but it failed; and although the trade might, and most probably would, have been saved, if the act then introduced had become a law, it is nevertheless true, as has been stated, that it would not have been a strict compliance with the British act, if it had passed.

In the summer of 1826, Mr. Gallatin was sent to England with instructions, which authorised him to conclude an arrangement of the colonial question upon terms substantially the same with those which were offered by the British plenipotentiaries to Mr. Rush in 1824, but his authority was confined to an adjustment by treaty stipulation.

On the 27th of July, 1826, the king, by order in council, founded upon the act of parliament of July, 1825, declared that the United Stated had not complied with the conditions of the act, and therefore directed that the trade and intercourse between the United States and the greater part of the British colonial ports should cease from and after the 1st day of December then following.

Mr. Gallatin arrived in England a few days after the publication of those orders in council. The determination of the British government to decline all further negotiation upon the subject was promptly and definitively announced to him. The foundation of this determination was avowed to consist principally in the reiterated refusals of this government to accept of the only terms to which Great Britain would agree, and a subsequent change of the colonial policy of that government, by opening her colonial ports to all foreign nations upon the conditions set forth in their acts of parliament. The whole subject was laid before congress by the president in the winter of 1827, and an unsuccessful attempt made to obtain the passage of a law requiring our ports to be closed also. Congress having adjourned without doing any thing in the matter, the president by his proclamation dated the 17th day of March, 1827, declared the trade between the United States and all the British colonies, with which it had been allowed by the act of parliament of 1822, to be prohibited, and the acts of congress of 1818 and 1820 to be revived.

On the 16th of July, 1827, another British order in council was issued, embracing the regulation of the colonial trade of Great Britain with all nations; reciting the passage of an act of parliament, by which it was declared that one year from the time of passing the act of July, 1825, should be the period in which an acceptance of its provisions by foreign nations should be valid; declaring what nations had so accepted the same, and closing their ports against all those that had not; among the latter, the United States were included.

The extent and operations of our acts of 1818 and 1820 have been before stated. The commercial relations between the United States and the British colonies have been regulated by their provisions, and the British order in council of July, 1827, from that period to the present day. By instructions from this department of the 11th of April, 1827, Mr. Gallatin was authorised to announce to the government of Great Britain the acquiescence of this in the proposition that the colonial trade should be regulated by law, and to ascertain the disposition of the British government to open the trade by separate acts of legislation. This was distinctly done by Mr. Gallatin, in his note to lord Dudley of the 4th of June, 1827. He was further informed that the president was willing to recommend to congress at its next session—

1st. To suspend the alien duties on British vessels and cargoes, and to allow their entry into our ports with the same kind of British colonial produce as may be imported in American vessels—the vessels of both countries paying equal charges.

2ndly. To abolish the restrictions in the act of 1823 to the direct intercourse between the United States and the British colonies, thus leaving Great Britain in the exclusive possession of the circuitous trade between Great Britain proper through her colonies; and he was

directed to inquire whether the passage of an act of congress to that effect would lead to the revocation of the order in council of July, 1826, to the abolition of the discriminating duties on American vessels in the British colonial ports, and to the enjoyment by our vessels of the advantages offered by the act of the 5th of July, 1825. The effect of these concessions, it was pointed out to him, would be a waiver of the claim of the United States, as made in the act of March, 1823, to the admission into the colonial ports of our produce upon the payment of the same duties as similar produce from other parts of the British possessions was required to pay.

No answer was made by the British government to Mr. Gallatin's note of the 4th of June, 1827, announcing the willingness of this government to arrange the trade by separate legislation; and Mr. Canning, on being applied to by Mr. Gallatin to know whether he might expect a reply, informed him that such was not the intention; that they considered that note as merely furnishing explanations; and he expressed his surprise that any doubt could exist as to the final disposition of the British government upon that subject.

After Mr. Canning's death, the willingness of the United States to accept, through the medium of separate legislation, the terms of the act of parliament of the 5th July, 1825, was again communicated by Mr. Gallatin to the British government, by a note to lord Dudley of the 17th August, 1827; in which he requested to be informed whether, if congress complied with the recommendations which the president was willing to make, the United States would be admitted to the trade and intercourse allowed by the act of parliament of the 5th of July, 1825.

Mr. Huskisson, in a subsequent conference, informed Mr. Gallatin that Great Britain considered the colonial intercourse as exclusively under her control, and that whatever terms might be granted to foreigners, would be considered as an indulgence; that he was not prepared to say whether, in any way, or, if at all, on what terms, it would be opened to the United States, in case of their repealing their restrictive acts.

Lord Dudley, in reply to Mr. Gallatin's letters of the 4th June and 17th August, after reviewing the grounds urged by the United States to justify themselves in omitting to accept the terms of the act of parliament of July, 1825, declined committing the British government as to their course in the event of the United States adopting the measures proposed, on the following grounds, viz: 1st, that *much* must of necessity depend upon the details of the act which congress might pass; 2dly, *more* on the condition of the country at the time of the passage, and the views which the British government might then have of their interest in the matter, and, 3dly, that any stipulations on the subject, would be a virtual departure from the ground taken by his government to regulate the trade by law, and to decline all further negotiation concerning it.

The last information in the possession of this government, in relation to the views of the present British ministry upon this subject, is derived from Mr. Barbour in January last. He states that, in a communication held with lord Aberdeen, in the presence of the duke of Wellington, the former expressed his desire of having the colonial trade question judiciously adjusted, and his conviction that the interdict was injurious to the colonies, without a proportionate benefit to any other section of the empire. But from subsequent conversations with his lordship, and from information derived from other sources, Mr. Barbour was induced to believe that the British government does not contemplate any relaxation of its colonial system in favor of this country; that our late tariff, together with a strong conviction of their incapacity to compete upon equal terms with our navigation, contributes to this disposition; and that that government would willingly withdraw the privileges of trading with its colonies, which it has granted to other nations, if that could conveniently be done.

Such is the present state of our commercial relations with the British colonies; and such the steps by which we have arrived at it.

In reviewing the events which have preceded, and more or less contributed to, a result so much to be regretted, there will be found three grounds upon which we are most assailable, 1st in our too long and too tenaciously resisting the right of Great Britain to impose protecting duties on her colonies; 2dly, in not relieving her vessels from the restriction of returning direct from the United States to the colonies, after permission had been given by Great Britain to our vessels to clear out from the colonies to any other than a British port; and, 3dly, in omitting to accept the terms offered by the act of parliament of July, 1825, after the subject had been brought before congress, and deliberately acted upon by our government. It is, without doubt, to the combined operations of these causes, that we are to attribute the British interdict. You will therefore see the propriety of possessing yourself fully of all the explanatory and mitigating circumstances connected with them, that you may be enabled to obviate, as far as practicable, the unfavorable impression which they have produced.

The trade, although not wholly suppressed, is altogether changed in its character. Instead of being direct, active and profitable, as it once was, it is circuitous, burthensome and comparatively profitless. The importation of the produce of the British West India colonies into the United States, may be said to have substantially ceased. It is wholly prohibited in British vessels, and allowed only direct from the producing colony. By the orders in council, the admission of American vessels is prohibited. Consequently, whatever of British West India produce is brought into this country, (with the exception of what has been recently allowed to be imported from the Bahama islands, and the island of Anguilla), must either be brought by the vessels of other nations, which are permitted, under the act of parliament of July, 1825, to clear from the colonies for any other ports, except in Great Britain and her possessions, or it must be imported as the growth or produce of other colonies, to which the vessels of the United States are admitted, and thus introduced in evasion of our law.

The export trade has been more considerable, though greatly and injuriously reduced. The decrees of nature by which the British West Indies are made dependent on the United States for a great portion of their necessary supplies, though erroneously resisted, have not been altogether frustrated by the retaliatory and improvident legislation of the two countries. Large quantities of American productions still find their way to the colonies. The uncertainty as to how much of our produce is used in the ports to which the exportations are nominally made, renders it impossible to speak with accuracy as to the amount actually consumed in the British West India colonies since the ports were closed. In the opinion of intelligent merchants, it is about half as much as immediately before the interdict. It is carried in American vessels to the islands of St. Thomas and St. Bartholomew on the one hand, and to the open ports in the British North American possessions on the other. From those ports, it finds its way to the British West India colonies, under different regulations in British vessels. This trade is burthened with double freight and insurance, the charges of landing and re-shipping, and also commissions and duties in the neutral ports, for that portion which goes by the way of St. Thomas and St. Bartholomew. The extra expenses thus produced have been estimated at fifty per centum on the first cost of lumber, and at from fifteen to twenty per centum on provisions. A great reduction of the quantity of our exports, and the entire exclusion from the trade of many articles of a perishable nature, which cannot now be sent in consequence of the increased length of the voyage, with its unfavorable effects upon our navigation, are the chief injuries which result to our citizens from this state of things. It oppresses the West India planter, by unavoidably increasing the prices of such articles of American produce as he still finds it his interest to purchase, notwithstanding the disadvantages imposed upon their introduction. It is moreover understood, that the indirect trade is carried on on British account, and that, therefore, the principal part of the extra expenses to which it is subjected comes ultimately out of their pockets.

It is the anxious wish of the president to put an end to a state of things so injurious to all parties. He is

willing to regulate the trade in question upon terms of reciprocal advantage, and to adopt for that purpose those which Great Britain has herself elected, and which are prescribed by the act of parliament of the 5th July, 1825, as it is understood by us. You are directed to make a full and frank exposition of the views and wishes of the president in this respect, at as early a period, and in such manner, as you may judge best calculated to accomplish them, and to put it in his power to communicate the result of this overture to congress at the opening of the next session. He is admonished by the past of the futility of protracted discussions upon a subject which has been over and over again debated. He does not, therefore, wish to occupy you, or harrass the British cabinet by their repetition. You are authorised to say to the British government, on the part of the United States, that they will open their ports to British vessels coming from the British colonies, laden with such colonial productions as can be imported in American vessels, and upon terms in all respects equally favorable; and that they will also abolish the restriction contained in our act of 1823, confining the trade to a direct intercourse, upon condition that Great Britain will allow American vessels the privileges of trade and intercourse which were offered by the act of the 5th July, 1825.

The president indulges a confident expectation that the British government will assent to an adjustment upon these terms. He is compelled to think so from a conviction that such an arrangement would promote the true interests of both parties—a result which he is confident is as much desired by Great Britain as it can be by himself, because she has heretofore given her deliberate assent to these terms, (and he finds nothing in the condition of the question which renders them less proper now than they were then); and, finally, because he is unwilling to believe that Great Britain would make so invidious a distinction as to exclude us from a trade which she allows to the rest of the commercial world. The United States do not controvert her right to monopolize the trade with her colonies; and if the same interdict which excludes them from her colonial ports was extended to others, they would not complain. But the British government cannot be insensible to the tendency which a discrimination of the character referred to must unavoidably have, to alienate those liberal and friendly feelings now entertained towards her by our people, and which it should be the pleasure, as it is the duty, of both governments to cherish and perpetuate.

If the omission of this government to accept of the terms proposed, when heretofore offered, be urged as an objection to their adoption now, it will be your duty to make the British government sensible of the injustice and inexpediency of such a course.

The opportunities which you have derived from a participation in our public councils; as well as other sources of information, will enable you to speak with confidence (as far as you may deem it proper and useful so to do) of the respective parts taken by those to whom the administration of this government is now committed, in relation to the course heretofore pursued upon the subject of the colonial trade. Their views upon that point have been submitted to the people of the United States; and the counsels by which your conduct is now directed are the result of the judgment expressed by the only earthly tribunal to which the late administration was amenable for its acts. It should be sufficient that the claims set up by them, and which caused the interruption of the trade in question, have been expliedly abandoned by those who first asserted them, and are not revived by their successors. If Great Britain deems it adverse to her interests to allow us to participate in the trade with her colonies, and finds nothing in the extension of it to others to induce her to apply the same rule to us, she will, we hope, be sensible of the propriety of placing her refusal on those grounds. To set up the acts of the late administration as the cause of forfeiture of privileges which would otherwise be extended to the people of the United States, would, under existing circumstances, be unjust in itself, and could not fail to excite their deepest sensibility. The tone of feeling which a course so unwise and untenable is calculated to produce, would doubtless be greatly aggravated by the consciousness that Great Britain has, by order in council, opened her colonial parts to Russia and France, notwithstanding a similar omission on their part to accept the terms offered by the act of July, 1825.

You cannot press this view of the subject too earnestly upon the consideration of the British ministry. It has bearings and relations that reach beyond the immediate question under discussion.

Should the amount of our protecting duties upon the production of her colonies, or upon the manufactures of the mother country, be referred to, in connexion with this matter, you will be at no loss for the reply. The duties upon our agricultural productions, when imported into Great Britain, are beyond comparison greater than those imposed by the United States on the productions or manufactures of Great Britain or her colonies; and the denial of her right to impose duties on articles the production of the United States, when imported into the colonies, in order to protect those of the colonies themselves, or of the mother country, was a leading and avowed motive for the stand taken by Great Britain in relation to the colonial trade. This is a subject on which each nation must judge for itself. It is one upon which, it is well known, there exists great diversity of opinion among our own citizens, but in respect to which no stipulations can be made with a foreign power; at least without reciprocal engagements on the part of such power—engagements into which there is no reason to believe that the government of Great Britain would at this time enter. If, by the imposition of those duties, the United States can secure the production of the same articles at home, it is their right and duty to persevere. If not, the principal burthen falls upon their own citizens, and consequently furnishes no cause of complaint on the part of others.

If the encouragement, by Great Britain, of her North American possessions in the growth and production of similar articles to those with which we supply her West India colonies, is the motive, the objection is no less obvious. To that end, the parent government now exercises, without complaint or objection on our part, the common right of imposing higher duties on articles which are not, than on those which are, the growth or produce of their North American possessions; and in doing so she exercises to the full the right conceded to all nations, of encouraging home productions by the imposition of protecting duties. The exclusion of one nation from the privilege of bringing into the ports of another articles that come in competition with home productions, whilst their introduction is conceded to the rest of the world, is a measure which cannot find its justification in any principles applicable to the protective system. If, however, the president should be disappointed in his expectations, founded on these and other corresponding views of the subject, he wishes you to ask (a request which he is confident will be readily granted) that you may be favored with an early and definitive answer to the propositions you are authorised to submit. He makes this appeal to the candor of the British government, that he may be enabled (in the event alluded to) to lay before congress, at the commencement of the next session, the result of this overture, to the end that that portion of the capital and enterprise of our country which is now waiting the decision of the question may seek other channels of employment.

Should your advances be met in the spirit in which they are offered, it will become important to consider of the form in which the proposed adjustment ought to be made.

This government has heretofore strenuously contended for an arrangement by treaty, and that of Great Britain has as strenuously opposed any other mode than that of separate legislation. The president is willing to adopt either mode. If the views of the British government are now different in that respect, and an arragement by treaty be acceptable, you are authorised to conclude it upon the principles of these instructions.—In that event, the president relies upon your known discretion and intelligence that the articles to which you agree shall be in such form as will carry into full and fair effect the views of this government as now expressed.

If (which is more probable) a resort to mutual legislation is preferred, the consideration of the mode best calculated for the satisfaction of both parties will occupy your attention.

That may be effected in one of two ways, viz: either by an order in council, opening the British ports to American vessels after a certain day; in the event of the United States having before that time complied with the conditions of the act of parliament of the 5th of July, 1825, by opening our ports to the admission of British vessels, and allowing their entry with the same kind of British or colonial produce as may be imported in American vessels, the vessels of both countries paying the same charges; by suspending the alien duties on British vessels and cargoes, and by abolishing the restrictions in our act of 1823 to the direct intercourse between the United States and the British colonies—thus leaving Great Britain in possession of the circuitous trade between Great Britain proper and the United States, through the British colonies. Or, the president will recommend the same measures to congress, at their next session, on being assured by the British government that the passage of an act of congress to that effect will lead to the revocation of the British order in council of July, 1827, to the abolition or suspension of all discriminating duties on American vessels in the British colonial ports, and to the enjoyment by us of the advantages of the last mentioned act of parliament.

You are authorised to agree to either mode, but the former is, for many reasons, to be preferred. In all that is said upon the subject it must be borne in mind that the president, whatever may be his wishes, or the course he might otherwise adopt, has no authority to move in the matter without the aid of congress. The only laws relating to this subject now in force, are the acts of 1818 and 1820, by virtue of which our ports are closed against the admission of British vessels engaged in the colonial trade. They do not confer a dispensing power on the president, and he has no such authority derived from any other source.

Some explanatory act, or a stipulation having a prospective view to such provision as congress may make, will certainly be necessary to enable the United States to avail themselves of the privileges offered by the act of parliament of 1825. By that act we are required, as a condition to the enjoyment of its advantages, to place the commerce and navigation of Great Britain and her possessions abroad upon the footing of the most favored nation. If it is meant by the condition that the commerce and navigation of Great Britain, and her possessions abroad, shall be gratuitously and generally placed on the same footing with those of the most favored nation, by granting to them privileges which are allowed by us to other nations for equivalents received, it would be wholly inadmissible.

By the laws of both countries, the vessels of each are prohibited from importing into the ports of the other any other productions than those of the country to which such vessels respectively belong. By the laws of the United States, this restriction is applied only to those countries which apply a similar interdict to our commerce. Almost all other countries have excluded it from their navigation codes: such nations, therefore, enjoy the privilege of importing from any country upon paying our alien duties—a privilege which we cannot extend to Great Britain because her laws deny it to us.

Our discrimination duties, also, have, in consequence of arrangements by treaty, been abolished as to certain nations, and their vessels and cargoes admitted on equal terms with those of the United States. We have, moreover, treaties with Central America and Denmark, by which it is stipulated that whatever can be imported to, or exported from, either country, from or to any foreign place, in its own vessels, may be so imported or exported in the vessels of the other country, on the payment of the same duties. Should the terms "most favored nation" be understood by Great Britain in the sense I have referred to, she would entitle herself, in case of a literal compliance on our part with the terms of the act of 1825, to all those privileges for her European navigation and commerce, without reciprocating them to the United States—a privilege she would, it is hoped, be too just to desire, and which, certainly, the United States could not for a moment think of granting. The force of these objections, and the necessity of preliminary explanations upon this head proceeding from the British government, was virtually admitted by lord Dudley, in his reply to Mr. Gallatin's notes of the 4th of June and 17th July, 1826; but he considered them as answered by the statement of Mr. Gallatin, that the president was willing to recommend certain specific measures to congress, as a fulfilment of the conditions of the act of 1825, and the president would have adopted them himself if he had been clothed with authority to that effect.

The simple and sufficient reply to this view of the matter is, that those measures were proposed by the United States, not as a strict compliance with the conditions required, but as all that they could offer, and with an accompanying declaration that they fell short of what the act of 1825 required, and would still leave our commerce with the colonies dependent upon the future dispensation of the British government. The validity of this opinion lord Dudley did not attempt to controvert.

If it is then true that either further preliminary legislative acts, or a prospective stipulation on the part of Great Britain, be necessary, a previous order in council should be preferred: First, Because it would obviate the two principal objections stated by lord Dudley to her binding herself for the future. Those objections were, that the future course of Great Britain must, necessarily, in part, depend upon the details of such act as congress might pass; and that the very fact of making such a stipulation would be a departure from a ground which their government had taken upon full deliberation, that they would not suffer themselves to be drawn into any negotiation upon the subject of the colonial trade, but claimed for themselves the right to regulate it by their own separate and independent legislative acts. The mode proposed would manifestly obviate the first objection, and avoid the other. Secondly, Because such an act on the part of Great Britain, after the past transactions of the two governments on this subject, could not fail to remove all asperities from the minds of our people, and contribute more than an adjustment in any other form to produce that spirit of mutual kindness between the two countries which is the interest of both to cherish, and which the president is earnestly solicitous to maintain.

Assuming that the step can be taken by Great Britain, (as it assuredly can), without disparagement, the consideration stated would, it is believed, have a persuasive influence on her conduct. In issuing such an order in council, the British government would only be acting upon the same policy which it has in part already pursued in relation to the Bahama islands and the island of Anguilla. Great Britain revoked her order in council of July, 1827, as to those islands, because it was required by a due regard to her interests. That being ascertained, no consideration of form or matter of feeling was allowed to interfere. What good reason can be assigned why the same should not be done for the maintenance of greater interests, and under more eligible circumstances? Should that mode, however, be declined, it is hoped that the only remaining one will be adopted without hesitation.

* * * * * * *

I will add nothing as to the impropriety of suffering any feelings that find their origin in the past pretensions of this government to have an adverse influence upon the present conduct of Great Britain. Without such an assurance on her part, your mission, so far as relates to the colonial trade, must be wholly inoperative. If this result is produced by a real change of opinion on the part of the British ministry with respect to the reciprocal advantages of the trade, and a determination to exclude the United States from it, in order to promote her own interests, and that is frankly and promptly avowed, the whole matter will be at least intelligibly concluded. If, however, they are not prepared to take this ground, but suffer themselves to desire that the United States should, in expiation of supposed past encroachments, be driven to the necessity of retracing their legislative steps, without knowledge of its effect, and wholly dependent upon the indulgence of Great Britain, they cannot be insensible of the extreme improbability that any further measure will be taken by congress, before whom (in the event alluded to) it would probably be the pleasure of the president to lay the whole matter.

NILES' WEEKLY REGISTER.

FOURTH SERIES. No. 22—VOL. III.] BALTIMORE, JAN. 22, 1831. [VOL. XXXIX. WHOLE No. 1010

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT $5 PER ANNUM, PAYABLE IN ADVANCE.

Extract of a letter, dated 5th Aug. 1828, *from Mr. Van Buren to Mr. McLane, then at New York.*

I forgot to speak to you upon the subject of the probable impression that will be made upon the British ministry by the rumors and speculations that have appeared here in regard to the character of your instructions, and to suggest the importance of putting them formally, but fully and early, in possession of your views upon that point.

Mr. McLane to the earl of Aberdeen.

9, *Chandos-st. Cavendish square, Dec.* 12, 1829.

MY LORD: I had flattered myself with the hope of receiving before this time a decisive answer from his majesty's government to the propositions which I had the honor to make some time since for an arrangement of the trade between the United States and the British American colonies; but, while I regret the delay that has taken place, I am aware that it has hitherto been unavoidable. In the hope, however, that, after the various conversations which I have had the honor to hold with his majesty's ministers in the course of this negotiation, they may be prepared definitively to dispose of the subject, I beg leave to make your lordship the present communication.

In entering upon the negotiation, I separated this from the other objects of my mission, and presented it singly before his majesty's ministers, that it might receive their early consideration and prompt decision, and that I might thereby the better promote the views and wishes of my government. I early informed your lordship of the anxious desire of the president of the United States that the question may be put immediately and entirely at rest. In this he is influenced not merely by a wish to liberate and give activity to such portion of the capital of his fellow-citizens as may be awaiting the decision of this question, but also by the higher motive of speedily terminating a state of things daily becoming more prejudicial to the friendly relations of the two countries.

Disclaiming, on the part of the United States, in reply to certain observations of your lordship, all hostility to this country in their system of protecting duties, and disconnecting that system from any arrangement of this particular question, I endeavored to lay this subject before his majesty's ministers divested of all considerations but such as peculiarly relate to this branch of the commerce between the two nations.

Conceiving that experience had already proved the existing colonial regulations to be injurious to the interests of both countries, the president was induced to hope that true policy alone would dispose his majesty's government to change them. He could perceive no good reason why Great Britain should now refuse her assent to the terms of arrangement which she herself had heretofore voluntarily proposed; and, as the order in council of July, 1826, did not embrace Russia and Sweden, though both were within the scope of the act of 1825, and as it had been subsequently rescinded as to Spain without equivalent, he was unwilling to suppose that any unfriendly motive could induce a peculiar and permanent exclusion of the United States from participation in a trade thus conceded to the rest of the world.

In fact it appeared that a material alteration had taken place in the colonial system, and in the relations between the two countries, produced by the recent relaxation of the order in council in favor of Spain, which left the United States the sole excluded power, and by the injurious operation of the existing regulations upon the interests of Great Britain. It was not unreasonable, therefore, to suppose that the negotiation might be advantageously resumed; that the British government might be induced to rescind entirely their order in council of 1826, and that a satisfactory arrangement might immediately be made by the reciprocal acts of both governments.

In the course of my negotiation, however, I have met with difficulties much greater than had been anticipated. Among these were the measures of the United States restricting the British colonial commerce subsequently to their failure to accept the terms offered by the act of parliament of 1825, and the claims to protection urged by those interests which are supposed to have grown up in faith of the act of 1825 and the order in council of 1826. Indeed, I distinctly understood that these were insuperable obstacles to any relaxation in the colonial system of Great Britain, unless some previous change should be made in the legislation of the United States.

With this understanding, though I by no means admitted the force of these objections, I deemed it expedient, in this state of the negotiation, to make the following proposition: that the government of the United States should now comply with the conditions of the act of parliament of July 5, 1825, by an express law opening their ports for the admission of British vessels, and by allowing their entry with the same kind of British colonial produce as may be imported in American vessels, the vessels of both countries paying the same charges; suspending the alien duties on British vessels and cargoes, and abolishing the restrictions in the act of congress of 1823 to the direct intercourse between the United States and the British colonies; and that such a law should be immediately followed by a revocation of the British order in council of the 27th July, 1826, the abolition or suspension of all discriminating duties on American vessels in the British colonial ports, and the enjoyment, by the United States, of the advantages of the act of parliament of the 5th July, 1825.

By this offer on the part of my government, I hoped to remove even the pretence of complaint against its measures; and I trusted that, in thus throwing open, by its own act, to all of his majesty's subjects, a trade at present enjoyed by but a few, it would effectually silence those partial interests which springing out of a system of restriction, and depending as much upon the countervailing laws of the United States as upon the regulations of their own government, subsist entirely upon the misfortunes of the British West India planters, and the embarrassments of the general commercial capital and enterprise of both nations.

In repeating the proposition, as I now have the honor to do, and in renewing my solicitation that it may be taken into early and candid consideration, and produce a prompt and favorable reply, I refrain from leading to further discussion and delay by a more detailed reference to the various suggestions by which, in the course of the negotiation, I have had the honor to recommend it.

Entertaining, however, the conviction I have heretofore expressed, of the wasting effects of the present regulations upon the substantial interest of the two countries, I cannot close this letter without again remarking that delay can only tend to increase the difficulties on both sides to any future adjustment, and that it will be difficult for the United States to reconcile the marked and invidious relation in which they are now placed with their idea of justice, or with the amicable professions of this government. That relation involves consequences reaching far beyond the immediate subject in discussion, and of infinitely greater importance to the future intercourse of both countries than any value which the trade affected by these regulations may be supposed to possess.

It is this view of the subject which unites the sympathy of all interests in the United States with their commercial enterprise, which touches the pride and sensi-

bility of every class of their population, and which, I trust, will make its due appeal to the candor and liberality of his majesty's government.

I pray your lordship to accept the assurance of the high consideration with which I have the honor to be your lordship's most obedient, and very humble servant,

LOUIS McLANE.

To the right hon. the earl of Aberdeen, &c. &c. &c.

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The earl of Aberdeen to Mr. McLane.

Foreign office, December 14, 1829.

SIR: I have had the honor to receive your letter of the 12th instant, formally recording the desire entertained by the government of the United States (and previously declared by you in verbal conferences) for the removal of the existing restrictions on the intercourse between the British West India colonies and the United States, with the view of placing the commerce of the two countries on a footing more consonant with the substantial interests of both nations, and with the amicable relations which happily subsist between them.

I shall lose no time in bringing the propositions contained in your letter under the consideration of his majesty's government.

Whatever may be the result of their deliberations on this question, of which you are already apprised of some of the difficulties, you may be assured that his majesty's government will enter into the consideration of it with the most friendly feelings towards the government of the United States. I have the honor to be, with high consideration, sir, your most obedient and humble servant, ABERDEEN.

Louis McLane, esq. &c. &c. &c.

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Mr. Van Buren to Mr. McLane.

Department of state, Washington, 26th Dec. 1829.

Your despatch No. 5, has been duly received, and submitted to the president. From subsequent but unofficial information, he is induced to believe that the British cabinet are disposed to reciprocate the liberal views by which he is himself actuated, by the adoption of some just and equally beneficial arrangement in regard to the colonial trade; but that, for reasons applicable to their side only, they desire a short delay before a final decision is made upon the subject. Confiding in the sincerity of the professions which are understood to have been made to you, and equally anxious to remove all grounds of uneasiness between the two countries, the president has directed me to communicate to you his views in regard to the question of time. This shall be done in the same frank and friendly spirit which characterises your general instructions in this regard, and which has left in them nothing that requires concealment. Not foreseeing any difficulty or embarrassment to the British government in coming to a prompt decision upon that branch of the subject of difference between the two countries, you were instructed to ask for such decision at as early a period as should be found consistent with perfect respect and courtesy. The motive of this government for pursuing that course was avowed to consist in a belief that no practical good could result from a protracted discussion of matters already so fully debated, and in a desire to communicate the result, whatever it might be, to congress, for its own action, and the information of its constituents. The explanations which are understood to have been made to you by the leading members of the British cabinet, are however, sufficient to induce the president to acquiesce in a compliance, on your part, with their wishes in regard to time, provided the proposed delay be not such as to defeat the expressed views of this government in case of a result adverse to its wishes. For the probable length of the present session, and the period at which the president ought to be possessed of the final decision of the British government, to enable him to lay it before congress in due season, your own judgment and knowledge of circumstances may, with safety, be relied upon. The reasons for doing so at an early period are very strong, but the president is disposed to content himself, under existing circumstances, with any course which will enable him to protect the interests of this country from the injuries that might result from long delay. Your intimate acquaintance with the whole subject renders it unnecessary for me to enter into a particular consideration of the measures which would, most probably, be regarded by this government as proper and expedient, on our part, in the event of an entire failure of the negotiation, and enables you to form a proper estimate of the value of time in respect to the utility of their adoption. You will be governed, accordingly, by a view of all these circumstances, as to the extent of the proposed delay which would be acceptable here, in reference to the adjustment of this important interest.

Independently of the steps necessary and practicable to open and improve new channels for the trade which would thus be permanently abandoned, the justice and propriety of defeating the interested views of the northern British colonies is a subject which is earnestly pressed upon the consideration of this government.

The desire so strongly manifested in that quarter to give permanency to a state of things altogether artificial in its character, and as much at variance with the repeated and solemn opinions of both governments as with the best interests of the two countries, has excited much sensibility here; and the active agency which that interest is understood to exercise in thwarting your efforts to place matters on their only natural and true footing, serves greatly to increase that feeling. The propriety of an immediate legislative provision, prohibiting our trade with the Canadas, and other free ports, after a certain day, if the present colonial regulations of Great Britain should at that time remain unchanged, is strongly advocated; but the president is disinclined to bring that subject to the notice of congress during the pendency of your negotiation, by the apprehension that the step might, under these circumstances, be regarded as wearing the appearance of menace, and thus give an acrimonious character to a negotiation which it is his wish should be of the most kind an amicable nature.

It is hoped that the president's message will aid the liberal views which the principal members of the British cabinet are understood to entertain upon this point, by disabusing the mind of the English public in regard to the views and wishes of this country, and by impressing it with just notions of the sentiments of the president. There certainly never was a time better calculated for the improvement of the relations between the two countries than the present. The solicitude sincerely felt by the president upon this head is greater than the occasion referred to would allow him to express: and I am persuaded that there has been no event in his public life that has caused him as much regret as he would experience in failing to be instrumental in the establishment of the very best understanding between the United States and Great Britain. I am, sir, with great respect, your obedient servant, M. VAN BUREN.

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Mr. McLane to the earl of Aberdeen.

9, *Chandos-st. Portland Place,*

London, March 16, 1830.

The undersigned, envoy extraordinary and minister plenipotentiary from the United States of America, in calling the attention of the earl of Aberdeen, his majesty's principal secretary of state for foreign affairs, to a proposition which he had the honor to submit in writing on the 12th of December last; for an arrangement of the trade between the United States and the British American colonies, and in praying for a decision thereupon, is influenced, not merely by considerations of duty, urging him to avoid further delay, but by a hope that the time already afforded for deliberation has been sufficient to enable his majesty's ministers to judge of the reasonableness of his demands.

The earl of Aberdeen is already aware that, whatever may be the disposition which his majesty's government may now be pleased to make of this subject, it must necessarily be final, and indicative of the policy to which it will be necessary, in future to adapt the commercial relations of each country. As the regulations on the part of the United States which will follow the decision of this government can be adopted by the congress alone, it becomes the duty of the undersigned to ascertain and transmit such decision during the present session of that legislative body. But while the undersigned again solicits the earliest convenient answer to his proposition, he

cannot but repeat that it will be happy for both countries if their measures shall coincide in cultivating those liberal principles of mutual accommodation which are the elements of common prosperity and united strength.

However the fact may be regretted and condemned by enlightened statesmen, it cannot be concealed that ancient prejudices and unworthy animosities do still linger among the people of both countries; and the earl of Aberdeen has been too distinguished an observer of events not to perceive the operation of those causes in fostering a spirit of commercial jealousy, especially in relation to the colonial trade.

It should be the desire, as it is the interest, of both governments, to extinguish these causes of mutual bitterness; to correct the errors which may have interrupted the harmony of their past intercourse; to discard from their commercial regulations measures of hostile monopoly; and to adopt, instead, a generous system of frank and amicable competition.

There has never occurred, in the history of the two countries, a fairer opportunity than the present to effect this desirable object; and the undersigned feels pleasure in remarking the favorable disposition professed by both governments on the subject. He begs to suggest, however, that this period of amicable expressions deserves also to be signalised by acts of mutual concession, which may remain to the people of both countries as earnests of those liberal relations which their governments have resolved to cultivate. Such would be embraced in the proposition which the undersigned has already had the honor to submit; namely, that the United States should do now that which they might have done in 1825—rescind the measures which may be alleged to have contributed to the present evil, and repeal the laws which have been matters of complaint; and that England should assent now to a measure which, but a few years since, she herself proposed.

The undersigned is unwilling to pass from this topic without re-assuring the earl of Aberdeen that it is from considerations of this kind that the subject derives its highest importance in the view of his government. There is no disposition to deny the injurious effects of the existing regulations upon the commercial and navigating enterprise of the people of the United States, associated, as it evidently is, with the substantial prosperity of the British West India colonies. Much of the injury, however, and especially that arising from the temporary inactivity of a portion of American capital, might soon be remedied by acts of the legislature, opening new channels for commercial enterprise. But the evil most to be apprehended is, that, in recurring, on both sides, to the remedy of legislative enactments, a spirit of competition might be immediately awakened, which, however dispassionately it might commence, would be too apt, in a little while, to become angry and retaliating. In cases of the kind, as has been too well proved, one step necessarily leads to another, each tending more and more to estrange the two nations, and to produce mutual injuries, deeply to be deplored when they can no longer be remedied.

It is far from the intention of the undersigned to intimate that the United States could be disposed to complain of any commercial regulation of Great Britain, which, by a system of reasonable preference, should consult the interests of her own subjects, provided it were done in a spirit of amity and impartiality, and that it should place all nations on an equal footing. But, when the United States shall think they have grounds to consider themselves singled out from all other nations, and made the exclusive object of an injurious regulation; when they shall imagine it levelled at their prosperity alone, either in retaliation of past deeds, or for interested purposes—to secure some adventitious advantage, or to encourage a hostile competition, by means of commercial monopoly; however justifiable, in such case, they may admit the regulation to be, in point of strict right, they will hardly be able to reframe, not merely from complaint, but from a course of measures calculated, as they may think, to avert the intended injury, though pregnant, perhaps, with consequences to be ultimately lamented.

While the undersigned would, in no degree, impair the full force of these considerations, he would, at the same time, be distinctly understood as not employing the language of menace. He has conducted his whole negotiation with an unfeigned and anxious desire to see the relations of the two countries placed on a footing equally advantageous and honorable to both, as the only means of ensuring lasting amity; but, being profoundly sensible of the causes by which this desirable object may be defeated, he has framed his proposition in such a manner as to enable his majesty's ministers to co-operate in his views, without departing from the principles of their system of colonial trade and government. To this effect, the proposition which he has had the honor to submit concedes to Great Britain the right of regulating the trade with her colonies according to her own interests, and asks no exemption from the discriminating duties which she has instituted in favor of her own possessions. It invites a participation in a direct, rather than a circuitous trade, upon terms which Great Britain deliberately adopted in 1825, as beneficial to her colonies, and which she continues to the present day to allow to all the rest of the world. A rejection of it, therefore, would appear to result, not from any condemnation of the direct trade, or any conviction of the impolicy of permitting it with the West India colonies, but rather from a determination of excluding from it the commerce of the United States alone.

It is not the intention of the undersigned to undertake here the difficult task of minutely recapitulating on paper the various suggestions by which, in the course of his conferences with his majesty's ministers, he has endeavored to enforce an arrangement on the terms heretofore stated. He trusts, however, to be excused, if in making this last application for an early decision, he should recur to a few of the more leading considerations connected with the present state of the negotiation.

And here the undersigned begs to observe that, whatever hope he may have indulged on this subject at any period of the negotiation, it has been founded, not so much upon the expectation of peculiar favor to the United States, as of a liberal compliance, by his majesty's government, with its own regulations, in allowing the United States to participate in a trade permitted to all the rest of the world, so far as their participation should contribute to the purposes for which such trade was, in any manner, authorised.

The arrangement, therefore, proposed by the undersigned, does not urge upon the British government a departure from what may be considered its ordinary colonial regulations, for the benefit of the United States, but a recurrence to a course of trade beneficial alike to the commerce of the United States and the colonial interests of Great Britain, and which has been interrupted by causes not foreseen by the latter, and highly disadvantageous to both nations.

It was the hope of the undersigned, that, if the interests of that portion of the British dominions which, in the sixth year of his present majesty's reign, dictated the regulations proposed by the act of parliament of that year, could be subserved by their adoption now, Great Britain would not be prevented, by any causes accidentally or improvidently arising, or by any exclusive policy towards the United States, from renewing now the offer she then made.

The undersigned is not disposed to deny that any departure from the rigid policy by which the colonies are excluded from all commercial intercourse, except with the mother country, must be founded on the interests of the colonies themselves; and it will be doubtless conceded that such was the object of the regulations proposed by the act of parliament of 1825, which were intended to furnish the British West India islands with a more extensive market for their productions, and with the means of supplying themselves, on the cheapest terms, with all articles of foreign produce of which they might stand in need.

The act of 1825 was, in fact, a relaxation of the previous policy, affording to the West India colonies advantages of trade which they had not previously enjoyed, and offering the benefit of their commerce to all the world. It will scarcely be denied that this relaxation was dictated by a wise regard for the peculiar wants of those islands. Abundant proof of this may be found in the reciprocal privileges granted at the same time to

the other possessions of Great Britain, the interests of which might be supposed to be affected by these regulations; and more especially in the privileges conferred on the northern possessions, of introducing their grain into England at a fixed and moderate duty, and of receiving in exchange, and importing directly from all parts of the world, productions similar to those of the West India islands; and also in the reduction of the duty on the Mauritius sugar, in the ports of Great Britain, to an equality with that on the West India sugar.

It will scarcely be doubted that these privileges were fully commensurate with the object. Indeed, it must be perceived that they were of extensive scope and growing importance, materially affecting the present and prospective trade of the West India planters. They conferred on the northern possessions a free and direct trade, not only with the European ports, but with the continent of South America, in which are countries daily increasing in resources, and destined, beyond a doubt, when the advantages of their soil and climate shall be properly cultivated, to become rival growers of the West India produce.

It may be safely affirmed that these are privileges of greater magnitude than any conferred by the same act on the West India islands; and it is worthy of remark that they are still enjoyed by those possessions, constituting a source of profit and prosperity; while, of those for which they were given as an equivalent, the West India planter has been almost ever since deprived.

It could not be imagined that the remotest forethought was entertained of this state of things, by which the West India islands would ultimately be deprived of their most natural and profitable market, and their interests sacrificed to the adventitious prosperity of possessions which already, in the privileges heretofore alluded to, and in the scale of discriminating duties provided by the act of parliament, enjoyed advantages equivalent to any accorded by the protecting policy of Great Britain. Much less could the undersigned permit himself to suppose the act of 1825 contemplated any other object than those which it ostensibly imported, or that those objects could be permanently defeated by accidental causes.

The undersigned need not here enter into a particular defence of the omission on the part of the United States seasonably to embrace the offer of the direct trade made by Great Britain in the year 1825, and to which allusion has so frequently been made. Whether it be a subject more of regret or of censure, it ought to be enough that the claims advanced in justification of it have since been abandoned by those who made them—have received no sanction from the people of the United States, and that they are not now revived. If it be the intention of Great Britain to perpetuate the present state of things from a belief that it is more for her interest, she will require no warrant from the past; and if she intend it for any other purpose the mistakes of the past will not justify a policy observed towards the United States alone, while uninforced against other nations chargeable with similar neglect. If these mistakes have led to the mutual injury of both countries, there ought rather to be inspired a disposition to remedy such injury, and to prevent its future recurrence.

The undersigned, therefore, may be content to admit, that, in consequence of the failure by the past administration of the government of the United States to comply with the provisions of the act of parliament of 1825, by repealing certain restrictions in their laws deemed incompatible with the interests of the colonies, Great Britain thought proper, by order in council, to exclude them from the direct trade authorised by that act. But it cannot, therefore, be supposed that they were thus excluded because Great Britain had repented of the regulations of 1825, which she continued to extend to all other nations, though some of them, too, had neglected the conditions of that act; neither could it be supposed that the importance of a direct trade with the United States had in any degree diminished.

It is not a fair inference from any measure, neither is it avowed on the face of any public document of Great Britain, that, by the interdict applied by the order in council, she intended, permanently and unchangeably, to deprive the United States and her West India islands of the benefit of a direct trade, which had always been deemed of the first importance to both. The opposite is the natural inference; and it is due to the character of Great Britain, and to her knowledge of her true interests, to believe that the adjustment of trade with her several possessions by the act of 1825, was, in her opinion, salutary, and that she sought to secure it in every part, and to give it more complete effect, by her order in council, the true intent of which was to exclude the United States from the direct trade merely until they should consent to engage in it on terms mutually advantageous. It was thus, whilst her other possessions were left in the enjoyment of their privileges, Great Britain intended to secure to the West India islands the commercial benefits which had been designed for them by these regulations.

Nor are the answers heretofore given by this government in the course of previous negotiations, incompatible with this interpretation of the order in council. After applying the interdict for the purposes of the act of 1825, it was not unreasonable that the time of its removal should be adapted to the same ends. It might have been designed, not merely to evince the predilection of Great Britain for regulations adopted in 1825, but to manifest to all other nations the mutual advantages of that course of trade, and to yield to a liberal spirit when that effect should be produced. The language of the late Mr. Canning, and lord Dudley, authorises this belief. Mr. Canning said no more than that the British government would not feel bound to remove the interdict, as a matter of course, whenever it might suit a foreign nation to reconsider her measures; implying, surely, that, under other circumstances, our overture would not be rejected. In the negotiation with Mr. Canning, moreover, the American pretensions, which, before that time, had embarrassed an arrangement, were not conceded; and on that ground, particularly, Mr. Gallatin's proposition was then declined. At the time of the negotiation with lord Dudley, neither party had felt the effects of a state of things which neither had ever contemplated, and for which Great Britain had never, until then, manifested any desire.

Without attempting here to point out the error of lord Dudley's conception of Mr. Gallatin's proposition, the undersigned contents himself with suggesting that his answer most particularly referred to the proposition merely in regard to the form and the time. It neither said nor intimated, as, had such been the intention, it unquestionably would have done, that Great Britain designed, by the order in council, permanently to abandon the objects of her act of 1825.

It must be admitted that such inference would be incompatible with the views entertained by the present ministry, as expressed in the order in council of 1828, gratuitously extending and continuing to Spain the privileges granted by the act of 1825, which she also, had forfeited, by failing, up to that period, to comply with the conditions.

On no supposition, consistent with ordinary impartiality towards a friendly nation, can this order be reconciled, than that the whole subject rested in the discretion of the ministry, to be changed and modified at any time when they might deem it expedient.

The undersigned, therefore, takes leave to suppose that the present state of things is new and unexpected in the colonial history of Great Britain; that the interests and advantages dependent upon it are adventitious, subordinate, if not opposed, to the act of parliament of 1825, and injurious to the interests contemplated by that act; and that it was neither intended to be produced nor perpetuated by the order in council of 1826. He is induced, therefore, by these considerations, to renew his hope that the real purposes of that order may now be fulfilled, and the cardinal object of the act of 1825 effectually promoted.

He would venture to ask, moreover, whether those interests which have recently sprung up out of this adventitious state of things, which depend upon accidental causes, and subsist upon the sufferings of others more ancient in standing, and at least equal in magnitude, have any peculiar claim to be upheld? They connected themselves with a course of trade subversive of the leading motives of the act of 1825, and necessarily temporary, and which it would be unreasonable to convert

into a permanent arrangement, unless it could be proved that it had attained, or was likely to attain, in some other way, all the objects contemplated by that act.

The regulations of the sixth year of his present majesty's reign were not adopted without reason, or uncalled for by the condition of the West India colonies. The improvident legislation with which their trade with the United States has been unhappily restricted, subsequently to the year 1822, had produced embarrassments which all acknowledged, and which the measures of 1825 proposed to obviate, by extending the market for their productions, and enlarging the means of a cheap supply.

Such, it must be admitted, was the obvious remedy for the evil; and, if their own picture of actual distress and embarrassment be not overdrawn, the situation of the West India planters is more in need of its application at present than in the year 1825. Seldom, indeed, if ever, have their distresses been more intense, or their supplications for relief more urgent.

It is also true that, according to usual custom in periods of public distress, the evils which now afflict the West India planters have been ascribed to causes various in their nature, and not always consistent. For evils of general prevalence, however, there is always some cause of general and uniform operation; and it certainly is not unfair to argue that the same circumstances which have led to such a calamitous state of things at one period, may lead to similar effects at another; therefore, that an aggravation of those causes which produced the embarrassments prevalent from 1822 to 1825, may produce the same, in a still more oppressive degree, at present, and may render them insupportable hereafter.

That there is an immense reduction in the value of colonial produce, is not a matter of conjectural speculation. It will not be denied that it has been taking place gradually since the interruption of the direct trade, until it may be affirmed that the nett proceeds of a single hogshead of sugar are less, by ten pounds sterling, than they were in the last year.

It is not a matter of doubt to the undersigned that the total loss to the West India planters of a direct trade with the United States, the most natural source of their supplies, and the most profitable market for their productions, by enhancing the price of the one, and not merely lowering the price, but diminishing the quantity of the other, is sufficient, without the aid of the other causes which might be cited, to produce a state of distress greater even than that of which they at present complain.

The Earl of Aberdeen will scarcely need be informed that the consumption, in the United States, of West India produce, is very considerable; but it may not be superfluous to state that, of foreign sugar alone, it is certainly little less than sixty millions of pounds per annum; of foreign molasses, it is not less than thirteen millions of gallons; and of foreign rum, it is equal to three millions and a half; and yet, in consequence of the present embarrassments of the direct trade, the importation of British West India produce has substantially ceased.

It does not appear, in the mean time, that the planter has been indemnified for his loss by any other market. In that of London, he certainly has not: it neither requires the surplus produce thus left on the hands of the planter, nor offers him an equal price for that which it consumes.

The freight to New York is one shilling, and to London five shillings per hundred weight; the difference of insurance between the two places, also, is as one to six per cent. The price of sugar, therefore, ought to be proportionably higher in the London market. The earl of Aberdeen will perceive, however, by a reference to the prices current of Philadelphia, Boston, and London, already submitted to his inspection, that, instead of being greater, the price is less in the market of London than in that of the United States. The sugar of St. Croix, which is of an inferior quality to that of Jamaica, is quoted in the prices current of the United States at from eight to ten dollars and fifty cents per hundred weight; and while the price of nine dollars and fifty cents, after deducting freight and duty, would nett twenty-five shillings sterling, the prices in London, it is believed, do not nett more than twenty-two shillings per hundred weight, for sugar of similar quality. The undersigned begs leave also to remark, that an examination of the same prices current, for the purpose of comparing the prices of the lower qualities of sugar, as well as of rum, would present a more striking disparity in favor of the market of the United States.

It may not be necessary to assert the impossibility of supplying the West India islands at present without the aid, directly or indirectly, of the United States. If this were not the case, unless the supplies could be drawn from other possessions of Great Britain, the undersigned will not imagine that there could be any motive or pretence, as between other nations, to exclude the United States; more especially as it is not likely that any other nation could furnish them on terms equally advantageous.

But the undersigned may assert with perfect safety, that, for a great portion of their principal supplies, especially flour, Indian meal, rice, boards, staves, and shingles, the West India islands must be, for a long time, dependent upon the United States; for rice, in fact, they must always be so. The proximity of the ports of the United States and the West India islands to each other; the adaptation of their productions to their mutual wants; the capacity of the United States to furnish the principal articles of provisions, at all seasons, in a fresh state, and by a cheap navigation; and, above all, the extent and steadfastness of their demand for the island productions, not only constitute them the best customers of the planters, but give them advantages for such a trade not possessed by any other nation. Even the British northern possessions, if in fact they were equally capable of producing the necessary articles, could not enter into competition upon equal terms. The physical impediments which, for at least half the year, embarrass their intercourse with the islands, compel the latter, during that time, to look elsewhere for any immediate supplies of which they may stand in need.

Not to dwell too minutely on this point, the undersigned will content himself with referring to the general course and extent of this trade in all past times; to the value of the supplies uniformly furnished by the United States, under all the disadvantages of a restricted and embarrassed intercourse; and to the vast amount which is even now finding its way through indirect and difficult, and consequently expensive channels, under a positive and total interdict of the direct trade. Surely if other parts, with which the trade is not merely direct but highly favored, were actually able, from their own resources and productions, to furnish these supplies, there would be no recourse for them to the United States.

The undersigned is unable to speak with precision of the amount of provisions and other articles actually supplied from the United States in the present course of business. There is a difficulty in tracing the trade through the numerous channels into which it has been diverted from its natural course. Tabular statements are not, in all respects, full and accurate; especially when they relate to merchandise transported across the frontier lines, and passing down the St. Lawrence to the northern possessions; of such there being but little, if any, account taken in the custom-houses.

These circumstances render all conclusions on this subject more or less matters of conjecture. It is the opinion, however, of the most intelligent persons engaged in the trade, both before and since the order in council of 1826, and an opinion which, it is believed, cannot be controverted, that an amount equal to more than a half of that heretofore exported through the direct channels still continues to go by the present circuitous routes. It has even been asserted by intelligent commercial men, that Jamaica has not consumed less of the flour, and provisions generally, of the United States, though at an additional and oppressive expense, than when the trade was direct. The routes through which these supplies now pass comprehend not merely the northern possessions, which have the solitary advantage of occasionally affording a better assortment of goods, but the islands of St. Thomas and St. Bartholomew's, Martinique, Guadaloupe, and the port of St. Jago de Cuba.

It is believed that those facts will be fully sustained, so far as certain official returns in the archives of this

government, to which the undersigned has had access, may be relied on. One of these, being a comparative account of the quantity of provisions and lumber imported into the British West Indies in the years 1825 and 1828, the undersigned has already submitted to the earl of Aberdeen as deserving of particular attention. It would appear from this, that, of the *corn* and *grain* imported into those islands in 1825, amounting to 383,332 bushels, 227,248 bushels were introduced from the United States, 7,012 from the British colonies in North America, 9,249 from the foreign West Indies, 1,584 from foreign Europe, and the remainder from the United Kingdom, and the islands of Jersey and Guernsey; thus constituting the United States, in the regular course of the trade, the natural and cheapest source of supply. It also appears that in the year 1828, of the aggregate importation, then reduced to 351,832 bushels, 27 bushels only were introduced directly from the United States; but, from the foreign West Indies, 126,221; from the British colonies in North America, 45,495; from foreign Europe, 464, and from the United Kingdom, &c. 172,718 bushels.

In 1825 there were imported into the same islands 202,737 barrels of meal and flour; of which the United States supplied directly 161,568, the British colonies in North America 4,232, foreign Europe 400, foreign West Indies 21,090, and the United Kingdom, &c. 15,447 barrels. In 1828 the aggregate importation of the same articles was 206,653 barrels; of which the United States sent directly 940 barrels, and the foreign West Indies 142,092, the British colonies in North America 36,766, foreign Europe 1,135, and the United Kingdom 25,331.

A similar result is more strikingly presented in the article of rice; and it is also shown by the same account, that, of the amount of lumber introduced since the interruption of the direct trade, nearly one half of the most valuable kinds, which previously went directly from the United States, passed through the foreign West Indies; of shingles, considerably more than one half; and of staves, a greater number were imported from the foreign West Indies in 1828 than were introduced directly from the United States in 1825.

It will not escape the attention of the earl of Aberdeen that the foreign West Indies derive their means of exporting these articles principally, if not exclusively, from the United States; and that, while the importance to the planters of their direct trade with the latter is thus exemplified by these statements, it is also shown that the diversion of it into indirect and circuitous channels does not confer equally substantial advantages upon the British northern colonies.

With this view of the subject, the undersigned takes leave to ask, why may not these supplies, which must thus necessarily be drawn from the United States, be furnished by means of a direct trade? It must be admitted that the evils of the indirect trade fall upon the planters. Among these may be considered the charges of double freight and insurance, the expenses of transhipment, and the commissions and duties in the neutral islands, estimated at 50 per centum on the first cost of lumber, and from 15 to 20 per centum on provisions. So far as this estimate relates to lumber, it is fully warranted by the official account of the comparative prices of that article in Jamaica in the years 1825 and 1828, already submitted to the earl of Aberdeen; and as it respects provisions, the duty of five shillings per barrel on flour, and in proportion on other articles, as completely sustains it. But to these evils, great as they are, must be added the total loss of the market offered by the United States under a direct trade, the extent and advantages of which have already been shown, and would have continued for an indefinite length of time, if not interrupted by these restrictions.

It is true the cultivation of sugar had been commenced, and is extending in the United States, but under difficulties and impediments arising from the nature of the climate, and the frequent injury of the crops by the variableness of the seasons. It has to contend, also, with the superiority, if not the indispensable necessity of foreign sugar for the purpose of the refiner. The demand of the latter is steadfast and increasing, being commensurate, not merely with the consumption of refined sugar in the United States, but the growing trade in it with all parts of the world. The exportation of refined sugar has also been further encouraged by a recent augmentation of the drawback, placing it on an equal footing with domestic sugar in respect to foreign markets. Under these circumstances, while the direct trade remained open, there would, as has been said, have continued a great and augmenting demand for the West India sugars for an indefinite length of time. The present restrictions, however, menace the planter with its total loss, if, in fact, they have not already ensured it. In proportion as they augment the embarrassments and expense of the trade with the British West India islands, they compel the United States to grow their own sugar, and act as bounties to encourage and improve its cultivation; or they induce them to look for their indispensable supplies to other islands, more liberal in their commercial regulations.

In the mean time, the planters, while they lose a market, ample, constant, profitable, and contiguous, find no indemnification in that of the northern possessions, whose consumption is comparatively limited, nor in that of the mother country; for there, in addition to the low prices already adverted to, they must encounter the sugar of the Mauritus, which, being now placed on an equality with their own, has increased the amount of its importation, in the course of five years, from four thousand six hundred, to a little less, as it is beleived, than thirty thousand tons. From this state of things, therefore, serious injury arises to the trade, both of the United States and the British West India islands. So far as that injury presses upon the latter, it is confidently submitted whether plenary relief can be found, as has been supposed, in the reduction of the duties upon their produce, unless it be in a manner to give them a monopoly in the home market equal to that of which they have been deprived in the United States; or even then, unless the reduction be in proportion, not merely to the loss of the market, but to the increased charges incident to the indirect trade for their necessary supplies.

The supply of sugar is already greater than the demand of the home market; and the amount of reduction of duty could not be a clear gain to the planter, because it would be also attended with a partial fall of the price, and his gain could be in proportion to the latter only. This mode of relief, without a correspondent reduction of the bounty allowed to the refiner, would be prejudicial to the revenue, but, with such reduction, much more injurious to the refiner; and if, as it may be well supposed, one half, at least, of the sugars imported from the West Indies are manufactured for exportation, it is not likely that such mode of relief would, in any event, be beneficial to the planter. It is suggested with great respect and deference, that the more obvious and natural remedy for an evil, which all must admit, would be to remove the cause. This would be done by cheapening the supplies, and extending the market for the productions of the islands, and by authorising a direct trade with the United States to a degree commensurate with the interests and necessities of the islands, and on such terms as are now allowed, for similar purposes, to all the rest of the world.

The partial application of a like remedy produced a salutary effect from 1825 to 1826; and, therefore, it may well be presumed that a more thorough experment on both sides, at present, would still be more beneficial. At that time undoubtedly, the British northern possessions neither complained nor had cause of complaint; still less can any such cause have arisen since, as their monopoly of the direct trade, instead of relieving, has only aggravated the sufferings of the planters!

It has been stated to the undersigned, however, as the opinion of Great Britain, that, while devising measures for the relief of the West Indies, it is, at the same time, indispensably necessary to consider the claims of the northern possessions to be projected in the enjoyment of certain accidental advantages. Though the undersigned by no means admits the justice of these claims, he would observe, that, if they were to receive protection, it ought, at least, to be effected in some way not inconsistent with the meditated relief of the planters. This might be done by granting greater facilities for the introduction of the produce of the northern possessions into the mother country—a measure which would not merely benefit them, but would ensure important advantages to Great Britain, by increasing her revenue,

and augmenting and perpetuating the consumption of her manufactures in these possessions.

But the proposition does not go to exclude the productions of the northern colonies, or even to expose them without protection to a competition with those of the United States. It supposes, on the contrary, that, as far as the former are capable of producing the articles in demand, a fair preference is already secured to them in the West India market by the scale of duties prescribed by the act of 1825, and fully commensurate, consistently with the interests of the planters, with that object. That scale could only prove insufficient if the capacity to produce did not exist, or should depend for its existence upon an exclusive monopoly ruinous to all other interests.

It is not for the undersigned, therefore, to object to that scale of duties as regulated by the act of 1825; though it must be allowed to give the productions of the northern possessions of Great Britain an equal, or even a better chance in the West India market; but he requires that the United States, as far as they are capable of supplying its wants, may be permitted, in common with the rest of the world, to contribute supplies by a direct trade, and that they may be carriers of such of their own productions as are indispensable or highly necessary to the planters. That the northern possessions have an interest in the present state of things, the undersigned does not mean to deny, nor particularly to state. It is sufficient for him to repeat what has already been remarked, that the interests which have grown up in that quarter are adventitious in their character, and subordinate to all the great considerations connected with this subject. They may be of some importance in themselves, and yet there may be views of higher moment and grander scope, to some of which allusion has already been made, before which, in every sense, they ought to give way.

It will be difficult to maintain the propriety of the claim by the northern possessions, that they should be secured in the enjoyment of a direct trade with all parts of the world, and that it should be denied to other possessions of Great Britain, to whom it is more necessary.

Of the capacity of the British West Indies to supply with their productions all the demands of the northern colonies, there can be no doubt; yet those colonies, by a direct trade, may introduce similar productions from foreign countries; why, then, may not the British islands be permitted by the same medium to introduce those articles which the northern possessions cannot supply, and for which they are dependent upon others? If the Canadian may import from foreign countries by a direct trade, merchandise of which he is not in need for his own subsistence, and which he may procure from other colonies of Great Britain, why may not the West Indian receive from the United States in the same direct manner that which is indispensably necessary to him, and which none of his majesty's colonies can supply?

The undersigned does not pretend to state, since he is unable to obtain the information requisite to enable him to state with accuracy, the precise proportion which the productive capacity of the northern possessions bears to the wants of the West India islands. It is the general opinion that the productions of those possessions, especially corn and other bread stuffs, but little exceed the quantity required for their own consumption; and that the amount of those articles, and even of lumber exported by them to the mother country, the West Indies, and to other ports, is derived principally from the United States, and from some ports of Europe. This opinion would seem to be confirmed by the state of the trade between those possessions and the United States, and by the encouragement given heretofore, and at present, by low duties, to the introduction into their ports from the latter of most, if not all, of the foregoing articles.

The exports from the United States to the British American colonies consist principally of flour, meal, Indian corn, wheat, ship-bread, rice, pot and pearl ashes, butter, and lumber; amounting annually, according to the circumstances of the year, to from two and one half and three and one half millions of dollars, and little inferior in value to the aggregate exports from the United States to the British West India islands in an open trade.

The Earl of Aberdeen has already inspected the official tables of the exports of domestic articles from the United States during the year 1827; and though, for purposes of comparison, similar tables for 1828 would be more precise, it is believed they would not diminish, if they did not add to the weight of those of 1827. From this statement, and a recurrence to the account already explained, to say nothing of the amount of produce passing down the St. Lawrence, of which, as has been observed, little, if any, account is taken in the United States, the earl of Aberdeen will perceive that, after a full experiment of the advantages afforded to the British northern colonies by the present course of trade, they are in fact dependent upon the United States for considerably more than double the amount of their exports to the British West Indies.

By these statements, it appears that, in 1828, the British northern colonies exported to the British West India islands 45,495 bushels of corn and grain, and, as far as the trade in 1827 may be considered indicative of that of 1828, they received from the United States 88,456 bushels of the same articles; that, of flour and meal, they received from the United States 136,770 barrels, and exported to the West Indies only 36,766; and that a like proportion is observable in the articles of ship bread, and biscuit, and rice. Of lumber, the official tables of the United States are not supposed to afford any satisfactory account; and in respect to pot and pearl ashes, the British statement is silent; though it will probably be conceded that the supplies of the latter articles are principally from the United States.

On looking to the large amount of importations from the United States by the British northern colonies, the comparatively small exportation from the latter to the British West Indies cannot escape observation. That these islands require much more than the quantity furnished them by the north, is shown, not only by the table of their direct trade with the United States, but by the amount furnished at present, under all the pressure of the discriminating duties, from the foreign West Indies. It is a matter, in fact, that does not admit of a doubt. That the northern colonies do not, under these circumstances, send more of the produce received by them from the United States, must be either because a great part of it is absorbed by the demands for the home consumption, or that it is necessary for their export trade with other parts of the world. The first cause satisfactorily evinces the incapacity of those possessions, even under their present advantages, to augment, in any considerable degree, their own productions; the last does not merely evince this, but manifests more strikingly the inexpediency of their claim to a monopoly of the trade with the West Indies, to the exclusion of the United States, upon whose productions they are themselves dependent, not only for their trade with the West Indies, but also for that with the mother country, and with the foreign European parts.

If these facts should be considered as requiring further confirmation, it may be found in the testimony of several of the most intelligent inhabitants of the northern colonies, taken in 1826, before the select committee on emigration, by which it appears that, at that period, and previously, Lower Canada did not supply any flour suited to the West India market; and that the whole of the exports of the upper province, not exceeding 40,000 barrels, were disposed of in the ports of Newfoundland, New Brunswick, and Halifax, and were insufficient for their wants; that Quebec depended, in a great degree, for provisions, upon the supplies furnished by the United States; and that Canada, at the time, found the utmost difficulty in subsisting her own population. It was further stated in that testimony, that "there was not sufficient corn grown in Upper Canada to induce any foreign market to deal with them; and that it would be extremely desirable, for some years to come, to introduce American flour into the Canadas, in order to make up their deficit for the supply of the West Indies:" that in fact, their own supply to the West India merchant was very inconsiderable, and "that they formed a very secondary consideration in his estimation." One of the persons examined on that occasion, a legislative councillor of Lower Canada, gave it as his opinion, and as one which he thought would be taken for granted, that

the provinces of the two Canadas would not be able, from their own produce, to supply a single barrel of flour to the West India market for the next twenty years. Without presuming that any of these opinions are in all respects accurate, but making every allowance for the character of such answers, which, if any degree erroneous, are likely to err in favor of the Canadas, it may be safely and confidently assumed that the northern possessions do not now, and cannot for a great number of years, however, they may be favored and encouraged, produce the requisite supplies for the West Indies. They must rely upon other sources, and principally upon the United States, not merely to furnish the deficiency, but as consumers of the West India produce. To this extent, and for these purposes, the proposition of the undersigned asks for a direct intercourse. The undersigned would here observe, moreover, that the northern colonies offer as little advantage in their demand for the produce of the British West India islands, as in their capacity to furnish supplies. He is aware of the erroneous supposition that the United States, in their direct trade with the British West Indies heretofore, did not take so much of their produce as of specie, to be invested, as it was imagined, in the produce of other islands. So far, however, as it may be thought to argue an unfavorable course of trade between the United States and those islands, he may confidently rely for its refutation, not only upon its obvious improbability, but upon the past, and even the present course of the trade.

It is obvious that the restrictions by which the trade of the United States with the Brith West Indies has been so frequently embarrassed, offered peculiar inducements to the importation of specie; but on this head the undersigned may venture to affirm that the amount of specie has not, at any period of the direct trade, exceeded much more than one fourth of the importation into the United States through those islands.

Without stopping to detect the error of supposing any thing unfavorable to the general result of trade from the exchange of specie for produce, which lord Aberdeen is aware is a natural occurrence, incident to commerce in all parts of the world, it will be sufficient to observe that, as the advantages of the direct trade to the West India planter were never doubted, it may fairly be inerred that the exchanges were mutually made in the most profitable medium. That specie was occasionally freceived for part of the supplies furnished by the United States, need not be denied; which would prove, only, that, from the general result of their traffic with other parts, the West India planters were enabled to deal more profitably in specie for the produce of the United States—this affording additional illustration of the mutual advantage of their intercourse. But the undersigned takes leave wholly to doubt that specie was taken for the purpose of being invested in similar articles in the foreign islands.

Unless an occasional instance of the kind has been produced by the pressure of those restrictions which it is now proposed to abolish, the occurrence of it would argue in the merchant the unaccountable folly of submitting to a prolonged voyage, but reduce freight, and to the other disadvantages of a circuitous trade, in the search after commodities which lay ready at hand, and which he might convey immediately to his market by a direct voyage, and at a better freight.

It will doubtless, however, occur to lord Aberdeen, that, whatever may have been the course or nature of the exchanges in a direct trade, they were not merely adapted to the necessities of the parties, but are not likely to be improved under the embarrassments of an indirect trade; or that more produce and less specie would pass off through the circuitous than the direct channel.

Though the northern colonies may become the carriers, they do not thereby become the consumers, except to a limited extent, of the West India produce.—Their capacity to consume in produce the value of all supplies carried by them to the West Indies, or even of that part going from the United States, will not be asserted; and therefore, it is not perceived how such produce can be received by them, unless from a reliance on the consumption of it in the United States, or other foreign parts. Indeed, in some of the official and other statements furnished by those provinces to the British government, the advantages of a free transit of American flour through the northern possessions are argued from the expectation that those districts in the United States which furnish the flour will receive from the Canadians foreign produce in barter! Not to advert to the complete annihilation of such expectation by an interdict of the supply through such a channel, it must be obvious that the United States will not take more produce or less specie under the embarrassments of an indirect intercourse. It is, on the contrary, reasonable to infer that, in such case, for the more bulky articles of West India produce, they would be led to rely, in a still greater degree, upon foreign islands, with augmented facilities; and that they would require specie in return for that portion of their supplies passing through the northern colonies; thereby increasing rather than diminishing the drain of that article, so far as it may be supposed to be affected by those regulations.

The undersigned would beg leave further to observe, that a refusal of the proposition which he has had the honor to make can have no other obvious pretence than, by means of a monopoly, to give a forced growth to the productions of the northern possessions, and, in the mean time, to compel the carrying of the produce of the United States and that of the British West Indies through their ports!

The very necessity of a monopoly to effect such a purpose, however, clearly points out the difficulties of production, and the embarrassments of such a course of trade, and shows the losses and distresses to which the planter must be subjected for an indefinite length of time.

It is by no means certain, however, that these objects are consistent with each other, and that the abundant supply of the productions of the United States through the northern ports would not as effectually discourage the productions of those possessions as the direct trade, and in this way perpetuate the monopoly. Such a result is shown to be more than probable by the foregoing observations, and by the official statements to which they apply. But it is perfectly certain that, if this monopoly should have the intended effect of fostering the growth in Canada of the articles required for the West India market, it would also have the effect of impelling the United States to the cultivation within themselves of the articles for which they have been accustomed to depend upon the West Indies, and consequently of diminishing their demand for those articles. The ability of the north to supply the planter, therefore, would be attended with the loss to the latter of the means of purchasing the supply.

The reasonable duty proposed by the act of 1825, even without the aid of the additional privileges to which the undersigned has heretofore presumed to allude, by gradually and reciprocally developing the resources and the means of consumption of the northern possessions, by providing a necessary revenue for the planters, and in the interim affording them an advantageous market, would be much more effectual in attaining all rational and desirable ends.

From an impartial view of all the considerations involved in the subject, may not such a course be deemed worthy at least of an experiment? Whether we regard the general deductions of argument, or the series of indisputable facts arising out of the course of trade before and since the order in council of 1826, it can scarcely be denied that the present state of things has, thus far, produced greater injury to the British West Indies than benefit to the British northern possessions; and that the regulations of the act of 1825 would be extremely beneficial to the planters, it indeed not absolutely remedial of their great distress, will not be questioned. From a recurrence to those regulations, therefore, much positive good is certain to arise; whereas the injury apprehended to others exists only in conjecture, can be ascertained only by experience, and may always be remedied by the protecting measures of Great Britain. It would appear, therefore, to the undersigned, not merely courteous to the United States, but just to the various possessions of Great Britain, to recur to the expedient of trying, under the favorable legislation of

both countries, the real utility of the adjustment of 1825.

If the encouragement of the northern productions be not sufficient in its results to justify the permanent exclusion of those of the United States from the British West India islands, it is equally unreasonable to insist that the latter and the produce of the islands shall be carried circuitously through the northern ports, at a loss to the producer. The present demand, in addition to the indemnities actually enjoyed by the northern ports, strips the West India planter of every advantage intended for him by the act of 1825, taking from him not merely the general benefits of a direct trade, but at the same time depriving him of the revenue provided for the support of the local government. That the productions sent through the Canadas are not cheaper in the West Indies than those going through other ports, is shown by the fact, already made apparent, that a very important part of their supply is carried in the latter way, and especially through the Danish islands; but, as no duty is collected on that coming from the British possessions, the planter, on his paying the same price as for that charged with a duty, must, in addition, make up, by some other means, the loss to his revenue.

It is at such sacrifices of public considerations, and of important interests of Great Britain herself, that the present claim is made, of forcing the trade of the United States with the British West India islands through the British northern possessions.

The undersigned might here ask the question, whether advantages like these now claimed, uncertain and contingent as they must necessarily be, deserved to be cherished at the risk which must eventually attend them? Are they of sufficient magnitude to justify the encouragement of a spirit of jealousy between two neighboring nations, whose prosperity, it is admitted, would be best promoted by mutual good will, or the sowing in the population of these northern possessions the seeds of commercial hostility, which may produce roots of bitterness, difficult to be eradicated.

The undersigned, however, hopes to be excused for asking lord Aberdeen to consider whether this claim be not as difficult of attainment in fact, as it is of justification in reason?

That the United States may be prevented from enjoying a direct trade with the British West India islands, is not to be questioned; but it does not follow that they can be compelled to carry on the indirect trade through the British northern possessions in preference to the other ports, and in opposition to the interest and inclinations of the American people. To ensure a continuance of such a constrained state of things would require a far greater degree of favor than Great Britain gives to those possessions at present, or could give at any time without effecting the ruin of her West India planters.

The present course of trade through those colonies, in fact, owes its existence, in a great measure, to the toleration and forbearance of the United States. They have submitted to it for the moment, in the expectation that the regulations of the order of 1826 were merely temporary, and would yield, in due time, to a liberal regard to the general interests of commerce. But when Great Britain shall avow the intention permanently to exclude the United States from the direct trade with her West India islands, and to compel the interchange of their products to pass through her northern possessions, for the purpose of creating or sustaining rival interests in that quarter, it will then be for the United States to decide whether their indirect trade may not be more profitably conducted through other channels.

So entirely dependent are the northern possessions upon the will of the United States for the advantages which they now enjoy, that a simple repeal of the restrictions alluded to in the proposition which the undersigned had the honor to submit, if the United States could be supposed so entirely unmindful of their navigation interests and enterprise as to make it, without any act on the part of Great Britain, would effectually destroy their monopoly. And moreover, if it should be deemed necessary or proper to arm measures at these provinces alone, the permission of a direct trade from the ports of the United States to the British islands, in British vessels, other than those owned in the northern ports, would not only break up the existing trade in that direction, but would for ever blight even the imaginary prospects of future production.

The advantages to the United States, however, of employing their own navigation in a part, at least, of the trade—of enlarging and conciliating their interests in the colonies of France, Spain, Sweden and Denmark, and, by reciprocal accommodations, of gradually increasing the market in those parts, both for demand and supply, would powerfully, if not irresistibly, tempt their trade into those channels. Indeed the official returns heretofore explained sufficiently show that it has, in fact, been already invited thither, in a considerable degree, by advantages which it would not be difficult to augment, until the commodities could be introduced as cheap as those of Great Britain, unless the latter should be protected by a higher scale of duties than was contemplated by the act of 1825, and one beyond the ability of the planters to endure.

The earl of Aberdeen will do the undersigned the justice to believe that, in discussing the contingent policy of the two countries in the arrangement of their commercial enterprise, he holds forth no apprehended event with a view to intimidate, or through a desire that it may take place. He will also perceive that the measures last alluded to would not necessarily imply, on the part of the United States, either resentment or retaliation; but would be resorted to as the system of commercial regulation calculated, under the circumstances of the case, to give the best direction to an important branch of their enterprise.

To such extent they would be altogether practicable, and might be supposed indispensably necessary. They might, indeed, from the natural tendency of such measures, and the peculiar influence of events, end in the total loss of the trade between the United States and the British northern possessions.

In such a view of the subject, though the undersigned will not here undertake to pronounce upon the value of the trade in question, he would suggest that it may be worthy the consideration of those who claim the advantages of monopoly rather than of fair competition, whether the loss of it, with the chance of contesting with the foreign islands for the trade with the West Indies, be preferable to a reasonable enjoyment of both?

That the United States possess the means of effectually controlling their trade through and with the British northern colonies, the undersigned is fully confident.

He is aware, however, that a contrary idea has been entertained by some, who may have regarded the subject in a narrow or interested point of view.

In adverting to this topic, the undersigned will not permit himself to suppose that the possibility of evading the revenue laws of the United States, and of producing a course of contraband trade, in violation of their legitimate regulations, can for a moment enter into the calculations of this government, or receive the remotest degree of encouragement or countenance from its measures and policy.

If no other motive opposed the adoption of such an alternative, Great Britain would find a sufficient one in the certainty that, however, for the moment, it might minister to the jealousy, or appear to favor the interests, of her subjects in the colonies, it would eventually produce the most baneful effects upon their morals and their habits. Thus corrupted, the skill and hardihood acquired in evading and transgressing the laws of a neighboring country, would afterwards be practised against those of their own government,

But in addition to the general disfavor with which any expectation of benefit from a contraband trade should be met, lord Aberdeen may be assured that it would not be difficult for the United States to prevent such a trade altogether. A more efficient cordon of police and a greater degree of vigilance might be requisite than in ordinary times; but the fidelity of the American custom-house officers has been thoroughly proved, and their exertions, even upon this frontier, have in general been adequate to all substantial purposes. Such was the case even when they were called upon to enforce the embargo and non-intercourse laws, when they received but little sympathy or encouragement from the moral sense of the community. The fact is, however, too clear

to require argument, that the amount of trade to be carried on by smuggling, however successful, would be inconsiderable in comparison with the extent and profits of a legal and regular intercourse, and therefore is entitled to but little weight, even when regarded with a view to pecuniary results, lord Aberdeen will not require to be reminded, that, to prevent illicit trade, it is chiefly necessary to remove the temptation of high prices, or to create a risk greater than the reward to be gained by successful fraud. Nothing could be more easy than this, in respect to the mode of intercourse now under consideration.

The interposition of the custom-house officer would scarcely be requisite to prevent the introduction of the West India produce into the United States through the northern colonies. Arrangements could readily be made with the powers to which the foreign islands belong, to furnish the requisite supplies of West India produce from those islands, on cheap terms, and in steady and abundant quantities. These arrangements would of themselves forbid competiton. But whilst American flour can be carried to the British West Indies as cheap from the United States through the foreign islands as through the northern possessions, though subject to the discriminating duty, in favor of the latter, of five shillings per barrel, it will not be supposed that the bulky articles of sugar, rum, and molasses, without such aid, can be tempted through the northern possessions by the risk of detection and the penalties of the law!

The undersigned does not believe that the temptations and facilities for the introduction into the northern colonies of flour and other articles, from the United States, are materially greater.

So far as the trade with the British West Indies can operate as an inducement, it has been seen already that American produce is carried thither as cheap through the foreign islands as the northern ports. The supply of American flour in the northern colonies is believed to be principally furnished by the Genesee country and the country bordering upon lake Erie; and it stands admitted in the evidence upon the archives of the house of commons, that, for flour, the market at N. York is generally better than the market at Montreal and Quebec. Indeed so important is the operation of these facts, that the most intelligent merchants suppose that so much of the American trade with the British West Indies as passes through the northern colonies, instead of the foreign islands, is chiefly diverted thither by the greater facilities of procuring in those ports an assorted cargo suitable to the West India market.

In the testimony afforded by the inhabitants of Lower Canada to the committee of the house of commons in 1826, it was asserted, and remained uncontradicted, that, "against the superintendence of the British custom-house officers, it would be impossible to smuggle any part of a cargo, or even a barrel of flour, into the province of Lower Canada." On this ground they were enabled to encourage the introduction of American flour in proportion to the amount of their exports to the West Indies and other places, without danger of its being brought into the home consumption. And the encouragement then given shows the importance attached by his majesty's goverment to that evidence. On this supposition, lord Aberdeen will readily acknowledge the facility with which the United States, through means of a custom-house police, strengthened and extended according to their means, may accomplish the same ends; more especially as the readier interdiction of the return trade from Canada into the United States, by diminishing the means of payment, would also diminish the motives to incur the risk and penalties incident to a prohibited trade. The undersigned is apprehensive that he has already dwelt longer upon these considerations than is necessary after so much personal explanation as he has heretofore had the honor of yielding, and will content himself, as to any further arguments that might be offered, with referring to the various other suggestions which have been made by him in the course of this negotiation. He cannot, however, entirely dismiss the subject without repeating, for the last time, his deep solicitude for the result and without most earnestly recalling the attention of his majesty's ministers to the state which the relations between the two countries would be left should this point be unfavorably decided.

In such case the government of the United States, while disappointed in its cherished hopes of an arrangement by mutual and reasonable concessions, would find nothing conciliating in the retrospect of a long course of fruitless negotiation, and nothing cheering in the future prospect, darkened, as it would be, by the possibility of a recurrence, by the two nations, to that system of countervailing measures that has already proved so detrimental to their harmony and welfare.

The undersigned takes this occasion to renew to lord Aberdeen the assurance of his highest respect and consideration. LOUIS McLANE.

To the right hon. the earl of Aberdeen, &c. &c. &c.

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Extract of a letter from Mr. McLane to Mr. Van Buren, dated London, 6th April 1830.

SIR: I have had a conference with lord Aberdeen today, which I sought for the purpose of urging the definitive answer to my proposition relative to the colonial trade. In my previous conference, he gave me some reason to expect that it would be given in time for this packet, but I regret to say that this expectation has not been realized. He assures me that the delay has been wholly unavoidable, and that it proceeds from no indisposition to obviate the difficulties, if that be practicable, which lie in the way of a satisfactory adjustment of the question.

I have not failed to represent to him the very serious injury and embarrassment which must result from delaying the answer until the congress shall rise, and of what I fear may be the insuperable difficulties of any prospective legislation with a view to a future arrangement. None of these efforts have yet proved sufficient to bring the answer.

Under these circumstances, unless congress shall continue in session until the arrival of the packet of the 16th instant, which I hope they will do, it will not be possible to get the decision in time to be submitted to that body. Deeply as I lament this state of things, I need scarcely say that it has not been possible for me, by any exertion, to avoid it.

In this stage of the business, it may be proper for me to remark that the negotiation must end in one of three modes; in a positive refusal to change the present regulations, or a revocation of the order in council of 1826, upon the terms of my proposition, or in a revocation of that order, with some increase of the duties imposed by the act of parliament of 1825, in favor of the productions of the northern possessions.

Looking as well to the progress of the negotiation as to the obstinate and persevering opposition, by the interests in those northern possessions, to any change whatever, and to the influence which it is obvious they exercise here, I confess that the last mode appears to me the most probable. I do not believe that any legislation by congress, with a view to that state of things, and vesting in the president a discretion to regulate the trade or rescind our laws in either of these contingencies, would in any manner prove prejudicial.

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Extracts of a letter from Mr. Van Buren to Mr. McLane, dated

Department of state, Washington June 18, 1830.

SIR: Herewith you will receive a copy of the confidential message which was sent by the president to the two houses of congress, during its late session, in pursuance of your suggestion that the measure recommended by it might be made useful in your negotiations with the British government, together with a copy of the law which was the result of that message. * * *

It is confidently hoped that the law referred to, with the motives in which it originated, and which secured it a rapid passage through the two houses of congress, without material opposition from any quarter whatever, added to the frank and liberal offer and explanations already made to the British government on the part of the executive department of this, will, of themselves, be regarded by that government as affording sufficient ground for its changing the position which it occupied in regard to the subject of its colonial trade, in all its bearings, so far as it affected the United States, at the period of the accession to power of the present ministry, and for the adoption of a course of policy which may

lead to the speedy and mutually advantageous revival of trade between the United States and the West India possessions of Great Britain, if, indeed, that important concern should not have been already satisfactorily adjusted. It ought to be regarded, likewise, as a direct conciliatory step on the part of this government, of the highest character, as emanating from its executive and legislative authorities combined, and as a solemn public movement on our part towards a friendly accommodation with the British government, upon terms of a fair and just reciprocity.

You will have been made acquainted, in the instructions which have been heretofore given to you, with the opinion of the president as to the course which would most probably be pursued by the United States if Great Britain should think proper to insist, as a preliminary measure, upon the unconditional repeal of our laws, or should be so selfish as to desire to engross for its navigation the whole of the carrying trade between this country and its West India colonial possessions. But that your negotiation may continue to be characterised by that spirit of frankness which it has hitherto been a leading object on our part to infuse into it, I am directed explicitly to state, upon this occasion, that the president will consider it his duty, in case that negotiation should eventuate unfavorably upon this point, to recommend to congress an extension of the interdict now existing as to the West India possessions of Great Britain to those which she holds in the northern parts of this continent, and the adoption of proper measures for enforcing its rigid observance, as a course which would, in his judgment, best comport, in such an event, with the interests of the United States, and correspond with the respect which is due to the character and past conduct of this government. It is not for him, however, to anticipate with certainty the effect of such suggestions upon the national councils of the union, though it is not to be supposed that, in such a case, any thing will be omitted on their part to vindicate the honor and maintain the interests of this government.

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Mr. McLane to the earl of Aberdeen.

9, *Chandos-st. Portland place, July 12th*, 1830.

The right hon. the earl of Aberdeen, &c. &c. &c.

The undersigned, envoy extraordinary and minister plenipotentiary from the United States, has had the honor already, in a personal conference, to explain to the earl of Aberdeen, his majesty's principal secretary of state for foreign affairs, certain measures adopted by the congress of the United States, during their late session, which have an immediate and important bearing on the relations of the two countries, and upon the proposition heretofore submitted by the undersigned, respecting the West India trade. Having received from the earl of Aberdeen an intimation of the propriety of communicating those measures in a more formal manner, the undersigned has the honor herewith to transmit such information on the subject as he is now in possession of.

The first of the measures alluded to is an act of the congress of the United States, authorising the president, in the recess of congress, to annul all the restrictive and discriminating measures of the United States, and to open the ports to British vessels trading with the British West Indies, in the manner particularly pointed out in the act; a copy of which, for the better explanation of the case, the undersigned begs leave to subjoin.

The undersigned has the honor also to inform lord Aberdeen, that, during the late session of the congress of the United States, several other laws were passed, by which, in lieu of the duties imposed upon certain articles of the produce of the West India islands, and of the possessions of Great Britain, by previous regulations, the following duties only are to be collected; that is to say: upon molasses, a duty of five cents, instead of ten cents, per gallon, allowing at the same time a drawback of the duty upon all rum which may be manufactured from that article, and exported from the United States;

On salt, a duty of ten instead of twenty cents per bushel;

On cocoa, a duty of one cent per pound on all imported after the 31st of December, 1830, or remaining at that time in the custom house stores under the bond of the importer;

And on coffee, a duty of two, instead of five cents, per pound, from and after the thirty-first of December, 1830; and of one cent per pound from and after the thirty-first day of December, 1831; and the same duties to be taken on coffee remaining at the respective times under bond in the custom-house stores.

The undersigned will not permit himself to doubt, that, in the first of these acts, emanating from the frank and friendly spirit which the president has uniformly professed, and passed with an avowed reference to the pending negotiation, the earl of Aberdeen will see new and irresistible motives for concurring in the promotion of the end to which this measure directly leads.

Such a measure could not have been recommended by the president without incurring a deep responsibility towards his own country, and feeling a confident reliance upon the justice and magnanimity of this.

It is a voluntary and leading step in the conciliating policy of the two nations, taken in disdain of the restraints of form, and which, if met in a corresponding spirit, cannot fail to produce that friendly intercourse and real harmony so ardently desired by those who consult the true interests and glory of both countries. It concedes in its terms all the power in the regulation of the colonial trade, and authorises the president to confer on British vessels all those privileges, as well in the circuitous as the direct voyage, which Great Britain has at any time demanded or desired. It has done this in the only manner in which it was possible for congress, at the present moment, and under existing circumstances, to act, without a total abandonment of even those advantages conceded by the present regulations of Great Britain, and without raising up new interests to oppose or obstruct the favorable disposition expressed by this government. Nor will the undersigned conceal his hope and belief that this act will stamp the negotiation with a new and more favorable character; and that the United States having thus taken the first step, and particularly defined the terms of their legislation, the mode of adjustment may be disencumbered of even those objections with which it was supposed to be embarrassed when submitted to lord Dudley, and by the answer which on that occasion was given to Mr. Gallatin. The objections suggested at that period on the part of Great Britain had no special or exclusive reference to the measure in question, but to the giving of any prospective pledge by which she might commit herself to the adoption of any specific line of conduct contingent on events which could not be foreseen, and to the entering into any informal agreement as to mutual acts of legislation while it was impossible to anticipate the details with which those acts might be accompanied, or the position and circumstances in which the two countries, and the commercial commonwealth generally, might be placed at the time when the laws enacted should come into effect. If these objections could at any time have been essential to the subject, which the undersigned by no means admits, they certainly are not so at present.

The act of congress has been passed without any pledge, prospective or otherwise; it therefore relieves the adjustment of this subject from that part of the difficulty. The details of the colonial legislation on the part of the United States are precisely defined and fully explained by the law. Frankly announcing all this, it leaves to Great Britain herself the selection of the mode and time in which, according to her conception of her own interests, she may restore the direct trade between the United States and the West Indies. She is enabled deliberately to do this with a full knowledge of the beforementioned details, and of the precise position and circumstances, as well of the two nations as of the commercial commonwealth in general, at the time when the measures are to come into effect. This she may do without any risk as to the future, and with the certainty that, while doing an act of justice to a friendly power, and relieving it from an invidious exclusion from advantages allowed to all other nations, she is contributing materially to the prosperity of her possessions in the West Indies.

The undersigned will not dismiss this subject without expressing the hope and persuasion that, in the other measures of congress alluded to, the earl of Aberdeen will find not merely all the considerations heretofore

urged for giving new facilities to the trade between the United States and the British West Indies materially strengthened, if not absolutely confirmed, but that a further and more favorable alteration is thereby made in the object and character of the negotiation.

These measures manifest at least a laudable desire to loose the shackles of trade and commerce, which, if England is so disposed, she cannot better encourage than by a relaxation of her own restraints upon the particular branch of trade under discussion.

The earl of Aberdeen has been already informed that the consumption of foreign molasses in the United States is not less than thirteen millions of gallons, even under the discouragement of the high rate of duty and a denial of the drawback, which nearly proved fatal to the chief source of consumption—the distilleries of New England. It is obvious, however, that the reduction of the duty to its present low rate, and the allowance of the drawback, must swell the demand for this article even beyond the ordinary amount, which, in the regular course of a direct trade, would seek its principal supply in the British West Indies.

Of coffee, not less than thirty-seven millions of pounds were annually imported into the United States; and of those in a regular trade, not less than eight millions from the British West Indies.

Of four hundred thousand pounds of cocoa annually imported into the United States, little less than one-fourth was brought from the British West Indies.

The earl of Aberdeen will readily perceive that the reduction of duty on these articles, and especially on coffee, to a rate which will soon be little more than nominal, cannot fail to at least double the importation.

These remarks apply with even additional force to the article of salt, the consumption of which is more dependent on the rate of duty than that of any other necessary of life.

The enormous quantity of this article requisite to supply the wants of twelve millions of people is too obvious to need any conjectural assertion; but it is worthy of observation that, notwithstanding the extent of the home supply encouraged by the high duty of twenty cents per bushel, the annual importation of that article from abroad seldom amounted to less than five millions of bushels. Of this amount more than three millions came from Great Britain and her possessions, her West India islands furnishing at least one million.

To what extent this amount may be enlarged by the increased consumption arising from the low rate of duty and the advantages of an easy trade, the earl of Aberdeen may readily conjecture.

It should be remarked, also, that, while the consumption of this article is thus augmented, the diminution of the duty must proportionably diminish the price of salted provisions. So far as these, therefore, form part of the supplies to the West Indies, the subsistence of the islands will be cheapened, while the demand for their produce is increased.

It should not escape the attention of the earl of Aberdeen that the provisions of these acts of the congress, so far as they relate to cocoa, coffee, and salt, confer encouragement on the trade of the West Indies with the United States, which did not exist, and could not have been contemplated at the period of passing the act of parliament of 1825. They therefore superadd new and important motives for restoring the trade then offered, and for restoring it upon terms not less favorable.

While the participation of the British islands is invited in the advantages to be derived from this enlarged and increasing demand of the United States for the produce of the West Indies, the undersigned takes leave to suggest the expediency of securing that participation before the trade may be exclusively diverted into other channels by the superior advantages of a direct intercourse with other islands.

In closing this communication to the earl of Aberdeen, the undersigned will take the occasion to repeat his deep interest in the subject, and a renewed hope of an early and favorable issue. The earl of Aberdeen will not fail to appreciate the spirit and motive by which the president was actuated in recommending, and the congress in passing, the act to which allusion was first made. The effects of delay upon the commercial enterprise of the United States, and the disappointment of interests desirous of a different measure of legislation, though they offered great embarrassments, were not the greatest difficulties attendant upon that act. To give to Great Britain the fullest time to consult her own interest and convenience; to make a further and a signal effort to place the commercial relations of the two countries upon a footing of sure and lasting harmony; and to guard, in a manner consistently with duty, against delay during the recess of congress, could only be done by a measure calculated also to awaken at once the spirit of commercial speculation, and to create new expectations of favorable dispositions on the part of this government.

If, as the undersigned will continue to hope, the British government should find it their interest to realise these expectations, their measures will derive additional grace from the frankness and promptitude with which they may be adopted; and if, unfortunately, these hopes are destined to experience a disappointment, it is not less the duty of his majesty's government to quiet the public expectations thus excited, and to mitigate, as far as may be in its power, the injurious effects thereof, by giving an early reply to the application which, in behalf of his government, the undersigned has had the honor to submit.

The undersigned avails himself of this occasion to renew to lord Aberdeen the assurances of his highest consideration. LOUIS McLANE.

[*To be concluded.*]

TWENTY-FIRST CONGRESS—2d SESSION.

SENATE.

January 14. Several memorials and petitions were presented.

Mr. *Benton* gave notice, that, on the next day of the meeting of the senate, he should ask leave to introduce a bill to reduce the duties on Indian blankets, and other articles not manufactured in the United States.

The bill to ascertain and mark the boundary line between Alabama and Florida, was referred to the judiciary committee.

The bill for the payment of French spoliations committed prior to 1800, was made a special order of the day for Monday week.

The resolutions submitted by Mr. *Hendricks*, Mr. *Foot* and Mr. *Smith*, of Md. yesterday were considered and agreed to.

The resolution offered yesterday by Mr. *Benton*, calling upon the secretary of the treasury, for a statement of the annual amount of the importations and exportations of drugs, medicines, and dye stuffs, was taken up, and amended at the suggestion of Mr. *Naudain*, so as to require the secretary to state whether any of the articles enumerated are of the growth, produce, or manufacture of the United States. The resolution was then adopted.

Mr. *Noble* submitted the following resolution:

Resolved, That the commissioner of the general land office be directed to communicate to the senate copies of all the proceedings on file in his office, relative to the location of lands in the state of Indiana, by the commissioners appointed on the part of the state of Indiana, and the commissioner or agent appointed by the authority of the United States, under the act, entitled, "an act to authorise the state of Indiana to locate and make a road therein named;" also, copies of all letters addressed to him relating to the subject of the location of the land in question; together with the decision of the late acting commissioner of the general land office on the subject.

Mr. *Noble* said he was aware that by the rules of the senate, it required their unanimous consent to consider the resolution at this time. He hoped that such consent would be given. His object was to receive copies of all the evidence in the office of the commissioner of the general land office, public and private, which had a bearing upon the subject embraced in the resolution which he had offered. It was a duty which he owed to the people of Indiana to make the call for the evidence, upon a subject which interested them. He was satisfied that the people of that state would never yield to the decision given to the act of congress named in the resolution by the late acting commissioner of the general land office. He expected that the legislature of the state of Indiana, now in session, would, by memorial to congress, shortly represent the rights of the state, by fact and law, or to some other tribunal. To meet their

views promptly, when they arrive; he desired all the evidence officially, to enable the senate to act.

The resolution was then, by unanimous consent, read a second time, and adopted.

The bill to authorise the territory of Florida to open a canal through the public lands, from Apalachicola to St. Andrew's bay, was ordered to be engrossed for a third reading.

January 17. The president communicated to congress a report from the director of the mint.

Mr. *Livingston*, by unanimous consent, introduced a bill "to enable the president to employ vessels for the purposes therein mentioned. The bill enacts, that the president of the United States be authorised to employ without delay, two or three vessels, with supplies of men, provisions and other necessaries, to cruize off the coast of the U. States, for the purpose of supplying and succoring vessels that may have suffered by stress of weather during the present inclement season. The second section appropriates $15,000 to carry the objects into effect.

Mr. *Hayne* inquired whether national or merchant vessels were to be employed.

Mr. *Livingston* replied, that the president would despatch on this service any vessel that might be ready, whether merchantmen or others.

Mr. *Tazewell* doubted the constitutionality of the measure, as well as its expediency.

Mr. *Livingston*, did not expect to hear such an objection from such a quarter.

Mr. *Silsbee* advocated the passage of the bill.

Mr. *Tazewell* would oppose the bill no further than to vote against it—but denied the existence of the power in the constitution.

Mr. *Hayne* moved to refer the bill to the committee on commerce—this motion was negatived, and Mr. *Livingston* moved that the bill be ordered to be engrossed for a third reading. This requiring the unanimous consent of the senate, and Mr. *Brown* objecting to it, the motion could not therefore be received.

On motion of Mr. *Foot*, the senate then resolved itself into a high court of impeachment.

Judge Carr appeared at the bar, and was permitted to make some explanations on a point of his former testimony.

Mr. *Spencer* of New York, a manager on the part of the house then addressed the court in a very learned and able speech: When he concluded, the court adjourned until to-morrow.

The senate having resumed its legislative character, Mr. *Brown* withdrew his objection to the reading of the bill for the relief of vessels suffering by the storm, and the bill was read and passed by a vote of 26 to 13.—Adjourned.

January 18. Mr. *McKinley* presented the memorial of the Alabama legislature, praying for further relief to the purchasers of public lands, and an extension of the right of pre-emption—referred.

Mr. *Iredell* presented a resolution of the legislature of North Carolina to induce the general government to undertake the re-opening of the communication between Albemarle sound and the Atlantic ocean. It, together with the survey, was referred to the committee on commerce.

Mr. *Foot* submitted the following resolution:

Resolved, That the commissioner of the general land office be directed to report to the senate the quantity of public lands surveyed, which have been brought into market; also, the quantity surveyed in each state and territory since the year 1826; and the amount received from the sales in each of the several states and territories in which sales have been made, since the year 1826.

Mr. *Benton* introduced a bill to reduce the duties on Indian blankets, and certain other Indian goods, not manufactured in the U. States. It was ordered to be printed.

Mr. *McKinley*, from the committee on public lands, reported an amendment to the bill, to ascertain and mark the boundary line between Alabama and Florida, and for other purposes.

On motion of Mr. *Foot*, the senate again resolved itself into a high court of impeachment.

Mr. *Wickliffe*, one of the managers of the house of representatives, commenced an argument in support of the impeachment, at twelve o'clock, and concluded at a little past three. He advanced and maintained the positions, that judge Peck had no legal jurisdiction over the publication of Mr. Lawless, even supposing it to have been a contempt, for which he imprisoned and suspended him; and that, in truth, that publication was no contempt at all. Mr. W. defended the liberty of the press with energy and zeal.

Mr. *Buchanan* and Mr. *Storrs* stated, for the information of the counsel of the respondent, who will, to-morrow, commence the argument in his defence, the additional authorities which they intended to produce in support of the impeachment.

The court and senate then adjoured until to-morrow.

January 19. Mr. *Hayne* presented the memorial of the chamber of commerce of Charleston, complaining of the unequal duties levied on American vessels in the Spanish West India islands, and of the exhorbitant duties imposed on American rice in the dominions of Portugal.

Mr. *Hendricks* reported the bill, without amendments to improve the navigation of the Tennessee and other rivers.

Mr. *Barton* reported, without amendments, the bill to enable the inhabitants of Louisiana to enter the back lands.

Mr. *Hayne* reported without amendment, the bill to authorise the construction of three schooners.

Mr. *McKinley*, reported, without amendment, the bill for the final settlement of the claims of states, for interest on advances made in the last war, and the bill to encourage the cultivation of the vine and the olive.

On motion of Mr. *Foot*, the senate again resolved itself into a high court of impeachment.

Mr. *Meredith* addressed the court for three hours, in defence of the respondent. Having become exhausted in physical strength before he could conclude his speech, the court, at three o'clock, adjourned until to-morrow.

January 20. Several petitions, memorials, and reports were presented.

Mr. *Benton* moved a resolution calling for information relative to British settlements on the Columbia river, and the state of the American fur trade.

Mr. *Smith*, of Md. reported a bill to reduce the duty on silks, and certain other articles.

Mr. *Woodbury* moved a reference of the memorial of the Charleston chamber of commerce to the president.

Several resolutions, reports, and bills of a private nature were submitted.

On motion of Mr. *Foot*, the senate again resolved itself into a high court of impeachment. Mr. *Meredith* continued the argument which he commenced yesterday in defence of the respondent. He will conclude to morrow. At 3 o'clock the high court and senate adjourned.

HOUSE OF REPRESENTATIVES.

Friday, Jan. 14. Several reports of committees on private claims being made, and disposed of

Mr. *Drayton*, reported the bill making appropriations for certain expenditures on account of the engineer, ordnance, and quartermaster's departments, which was twice read and committed.

Mr. *Ihrie* reported a bill "supplementary to the act entitled "an act for quieting possessions, enrolling conveyances, and securing the estates of purchasers" in the district of Columbia, which was twice read and committed.

Mr. *Verplanck* reported a bill "making appropriations for the Indian department for 1831," which was twice read and committed.

Mr. *Hemphill* reported a bill to erect a bridge over the Ohio river, near Wheeling, which was twice read and committed.

On motion of Mr. *Test*, it was resolved, that the committee of ways and means be instructed to inquire into the expediency of making another appropriation for continuing the graduating and bridging the national road through the state of Indiana.

The house then resumed the consideration of the instructions proposed to be given to the committee of public expenditures, relative to the computation of the mileage of members of congress—the question being on the amendment of Mr. Hall.

Several ineffectual motions being made to amend the amendment, it was finally adopted by a vote of 114 to 80, and is in the following words.

Resolved, That the committee on the public expenditures be, and they are hereby, instructed to report to this house a bill mak-

ing it the duty of the secretary of the senate and the sergeant at-arms of the house of representatives, with the aid of the post master general, at the end of every session, to make an estimate, as nearly as possible, of the actual distance, (in a direct line) of the residence of each member of the senate, house of representatives, and delegate of a territory, from the seat of government; and that the mileage of members of congress be computed, and their accounts for travelling be settled, according to such estimate."

Mr. *Vance* and Mr. *Bates* both wished to propose further amendments; but they were declared to be out of order.

That proposed by Mr. *Vance* was as follows: That the secretary of the senate and clerk of the house of representatives be directed to publish, at the commencement of each congress, in two of the public newspapers in the city of Washington, a statement of the mileage as charged by the members of their respective bodies.

The *speaker* was stating how the gentlemen referred to could get at their object, when

Mr. *Buchanan* rose to address the house; but the *speaker* said the hour for morning business had expired, and the subject must pass over for the present.

Mr. *Buchanan* remarked that he did not wish it understood that he was entitled to the floor for to-morrow.

The *speaker* suggested that the gentlemen could do as he pleased in that respect.

The orders of the day were then announced; when Mr. *Buchanan* moved that they be postponed, for the purpose of taking up the bill "for the relief of certain insolvent debtors of the United States;" he said it was a matter of great importance, and he hoped the motion might prevail.

Mr. *Mercer* regretted that he should be obliged to oppose the motion; the bill for the relief of James Monroe had been made the special order of the day, and he wished it to be taken up, and, if possible, finally disposed of to-day.

The question being on the motion of Mr. *Chilton* to strike out the enacting clause.

Mr. *Chilton* declined speaking.

Mr. *Spencer*, Mr. *Coke*, and Mr. *Burgess* spoke in favor of the bill—and Mr. *Ihrie* against it.

Mr. *Mercer* then rose and made an animated and eloquent speech in favor of the bill, and in conclusion moved an amendment, referring the claim to the accounting officer of the treasury, to be by him settled upon the principles of equity and justice, subject to the final decision and revision of the president.

The proposed amendment being read by the clerk, the question was put on striking out the enacting clause (to destroy the bill), and it was decided in the affirmative, as follows: ayes 78, noes 67.

The house adjourned to Monday next at 12 o'clock, M.

Monday, Jan. 17. After the reading of the journal, Mr. *Haynes* submitted a resolution agreeing on the part of the house to attend the high court of impeachment during the delivery of the arguments—which was adopted.

Mr. *Davis*, of S. C. moved a resolution giving 40 cords of wood for the relief of the poor of the city of Washington, which was adopted by a vote of 136 to 51.

On motion of Mr. *Whittlesey*, the house resolved itself into a committee of the whole, Mr. *Martin* in the chair, and proceeded to the senate to attend the impeachment of judge Peck.

At 4 o'clock, the committee returned, reported progress and adjourned.

Tuesday, Jan. 18. Several petitions and reports were presented.

Mr. *Irvin*, of Ohio, reported a bill to establish the number and fix the salaries of the clerks in the several land offices.

Mr. *Ihrie* reported a bill to provide for the appointment of commissioners to digest, prepare, and report at the next session a code of laws, civil and criminal, for the district of Columbia, which was twice read and committed.

Mr. *Verplanck* reported a bill making additional appropriations for the improvement of certain harbors, and removing obstructions from certain rivers, which was twice read and committed.

The *speaker* laid before the house, a letter from the secretary of the treasury relative to the cost of brown and white sugar imported into the United States from the year 1794 to the year 1830, inclusive, which was laid on the table.

The bill to provide relief to vessels was considered and referred to the committee of the whole on the state of the union.

Mr. *Smith* moved a resolution allowing *John Foulke*, a member of the society of friends, the use of the hall, for the purpose of holding religious worship. The resolution was so amended as to allow the use of the hall to the colonization society on the following evening, and in that shape passed.

Just before the hour of twelve, at which the house was to proceed to attend the sitting of the high court of impeachment—

Mr. *Martin* said he would not, at this hour, when the house was so pressed for time, throw himself upon the attention of the house, were it not in a matter in regard to which he felt himself placed in a very delicate situation. It was known to the house, he said, that, in consequence of the indisposition of the speaker, the duties of the chair had of late been temporarily assigned, occasionally, for parts of several days past, to him (Mr. *Martin*.) In what manner he had discharged those duties, Mr. M. said, it was not for him to decide, but he could safely say that he had brought to their discharge his best abilities and the most earnest disposition to preserve the order of the house. It was known, further, he said, that on Thursday last a debate took place of an unusual character (alluding to the debate on the mission to Russia.) There was certainly displayed on that occasion more personal feeling than he could have wished; but, with the most sincere desire to preserve decorum in debate, nothing had reached his ear which seemed to him to call for the interposition of the chair. Something might have fallen from the members which did not reach his ear, and which was offensive and unparliamentary. Difficulty of hearing from the low tones of some speakers, or the rapidity of utterance of others, sometimes makes it doubtful what is the precise language in which they express themselves.

Mr. M. said he felt the full force of these difficulties when in the chair on Friday last. But so far as he was able to understand what was uttered in debate, there was only one occurrence, on that day, which appeared to him to call for the interposition of the chair. The gentleman from New York, referring to the gentleman who had moved the pending amendment, charged him with having made "a disgraceful motion," which language the chair promptly checked, and declared to be out of order. Yet, looking over the report of that debate in this morning's paper, it was due to himself, to the house, and to the good opinion of the nation, to say, that words appear in that report which were not uttered in the debate to his hearing. He would not detain the attention of the house by going over all the terms of it which appeared to him exceptionable, but he could not consistently with a sense of duty, sit down without particularizing one expression reported as having been used by the gentleman from New York, (Mr. *Cambreleng*), in the following passage of his speech:

"I shall not, Mr. Speaker, travel out of my way and violate a rule of order, by entering now into that discussion by examining the provisions of the Turkish treaty. Whenever I do, sir, my facts and my arguments shall be founded on something more substantial than a newspaper rumor—more unquestionable than the statement of an unprincipled partizan—more unimpeachable than the evidence of a perjured senator."

Now, Mr. M. said he should have been guilty of the grossest and most flagitious misconduct as presiding officer, if, hearing such language applied to a member of the other house, if he had not interposed to arrest it.—With this paper before it, this house could not refuse to receive a committee from the senate to demand an inquiry into the alleged perjury. He did not say that such language as this had been actually used; but if it had been heard by him, it would have been an insult to the house not to have stopped the utterer of it. He took it for granted that the reporter of the debate had labored under great misapprehension; but seeing that it had got into print in this exceptionable form, he had thought it proper to offer this explanation of his own conduct in the premises.

Mr. *Cambreleng* said that after hearing from the gentleman from South Carolina so grave a charge of viola-

tion of the decorum of debate, the *provocation* which called for this allegation, ough', in justice to him, (Mr. C.) to have been stated. The house had then just listened to a tirade against the president of the United States; to another against the secretary of state; and not only to abuse, but to the vilest and most degrading insinuations against our minister to Russia. If the gentleman from South Carolina had heard every word of the debate, he might have heard something more exceptionable than any thing that he had found in the reports of his (Mr. C's) remarks. I have marked, (said Mr. C.) in this paper a number of epithets and insinuations, reported as having been used by another member, which are gross, base, infamous—

The *speaker* here interposed. He said he did not understand the gentleman from South Carolina to make any charge against any member of the house, to make this explanation necessary.

Mr. *Cambreleng* said he would state *why* he had used the term "perjured senator." The member from Rhode Island had made a number of remarks concerning the Turkish treaty. There were but three sources from which he could have obtained information on this subject—from newspaper rumor, *or* from some unprincipled partizan, *or* from some perjured senator, who had violated his oath of secrecy. Mr. C. said he had not stated that the member did obtain his information from a perjured senator, but stated it as one of three alternatives. Whilst the treaty is before the senate, (said Mr. C.) when no honorable man can by honorable means acquire a knowledge of its provisions—when I myself, feeling a deep interest on the subject, for my constituents, have been unable to obtain the information, hearing what fell from the member from Rhode Island, I did say that which the member from S. Carolina has quoted.

Mr. *Martin* said, if the gentleman would abide the verdict of those around him he would perhaps find that he used the term "perjured witness," and not that which he now avowed. If, however, the gentleman preferred the one to the other, it was a matter upon which Mr. M. was not called to maintain a different opinion. All he desired was to vindicate, as he had done, his cousre whilst occupying the speaker's chair.

[Mr. *Cambreleng* was proceeding to make further explanations, when the *speaker* peremptorily checked the debate—there being no question before the house. And here it therefore stopped.]

The house then resolved itself into a committee of the whole, Mr. *Martin* in the chair, and proceeded to the senate, to attend to the trial of judge Peck. The committee having returned and reported progress, the house adjourned till to-morrow at eleven o'clock.

Wednesday, Jan. 19. Mr. *Verplanck*, from the select committee appointed on the 17th December, on the memorial of surviving officers of the army of the revolution, reported a bill "supplementary to the act for the relief of certain surviving officers and soldiers of the revolution;" which was twice read and committed.

[This bill provides that each of the surviving officers, non commissioned officers, and soldiers of the army of the revolution who shall have served in the continental line a period of two years and —— months, and upwards, during the war of the revolution, and who are not entitled to any benefit under the act for the relief of certain surviving officers and soldiers of the revolution, passed the 15th day of May, 1828, be authorized to receive, out of any money in the treasury not otherwise appropriated, the amount of his full pay in the said line according to his rank, but not exceeding in any case the pay of a captain in said line; such pay to continue during life: and any one who served less than the above term, but not less than nine months, shall receive an annuity bearing such proportion to the annuity granted to the same rank for the service of two years and —— months as his term of service did to the term aforesaid. No foreign officer to be entitled to the benefit of this act; and the pension not to be transferable, or liable to any attachment, seizure, &c. The date at which this annuity is to commence is left blank in the bill, but there is a section in the bill which shews that it is the intention of the committee that the bill shall have in some degree a retrospective operation.]

The house resumed the consideration of the report of the committee on public expenditures, in relation to an uniform mode of computing the mileage of members of Congress.

Mr. *Chilton* moved an amendment, so as to change the rate of mileage from eight to six dollars for every twenty miles travelled in going to and returning from the seat of government; but

The *speaker* declared the motion to be out of order.

The question then recurred on the motion heretofore made by Mr. *Chilton* as amended on the motion of Mr. *Hall*, to recommit the report to the committee on public expenditures, with instructions, as follows: "to report a bill making it the duty of the secretary of the senate and the sergeant-at-arms of the house of representatives, with the aid of the post master general, at the end of every session, to make an estimate, as nearly as possible, of the actual distance (in a direct line) of the residence of each member of the senate, house of representatives, and delegate of a territory, from the seat of government; and that the mileage of members of congress and delegates be computed, and their accounts for travelling be settled, according to such estimate."

The question being put on the proposed recommitment, it was decided in the affirmative, by yeas and nays, 120 to 27.

The joint resolution "relative to the pay of member of congress" was read the second time, amended, and ordered to be engrossed for a third reading to-morrow.

Mr. *Wickliffe*, submitted the following resolution:

Resolved, That the committee on military affairs be instructed to inquire into the expediency of dismissing from the army the supernumerary lieutenants by brevet commission:

That the committee also inquire into the expediency of fixing the age between 17 and 21 years as the period of admission into the West Point academy; and that all the graduates, from time to time, at that institution, shall be discharged from the army when not needed in the actual service of the country:

That they inquire into the expediency of authorising appointments in the line of the army from the meritorious non-commissioned officers of the army:

And also, of reducing the number of cadets in said academy now authorised by law.

Mr. *Wickliffe* explained his reasons for submitting the resolution, and was briefly replied to by Mr. *Drayton;* but before a decision was had, the house resolved itself into a committee of the whole, Mr. *Martin* in the chair, and proceeded to the senate to attend the trial of judge Peck.

Mr. *Cambreleng*, (pursuant to notice which he gave in the morning) moved that the house go into committee on the bill from the senate, to authorise the employment of certain relief vessels, and appropriating $15,000 therefor.

Mr. *Wickliffe* thought this a bill that ought not to pass without discussion, and as it was late and the house thin, he moved an adjournment. The question was put, and a majority voted against adjourning; but there appearing no quorum, the house adjourned.

Thursday, Jan. 20. Mr. *Hall* reported a bill regulating the mileage of members of congress—a motion to amend the bill failed, and it was finally ordered to be engrossed for a third reading.

Mr. *Letcher* reported a bill to authorise an appropriation to turnpike the mail road between Rockville and the Monocacy bridge.

The resolution moved yesterday by Mr. *Wickliffe* relative to West Point was agreed to.

Mr. *Leiper* laid a resolution on the table, calling upon the post master general for information, as to the causes of the irregularity of the arrival of the eastern mail.

The house in committee proceeded to the senate to attend the trial of judge Peck, after they returned adjourned until to-morrow at 11 o'clock.

HUDSON AND DELAWARE CANAL. Among the documents which accompanied the message of the governor of New York, communicated to the legislature, there is a letter from the president of the Delaware and Hudson canal company. By which it appears that the canal will be 108 miles in length, connected by a rail road 16 miles long, in which distance an ascent of 855 feet, in a country thinly inhabited is overcome. The latter, the letter states, is the first of its kind in this country. It requires all the combinations for ascending and descending

planes, with engines worked by steam and gravity. The canal was opened on the 27th of April, and the work has thus far proved to have been substantially made.—The supplies of coal received through it are so extensive as to occasion a reduction of the price from $8 per ton of 2,240 pounds, to $6. The substitution of ropes for chains on the inclined planes of the rail road, has been found to be advantageous. The company have brought to market this year 41,000 tons of coal, all of first quality, except 1,500 tons of surface coal—the boats yet to arrive will increase the whole quantity to 43,400 tons. Last season in the city of New York, foreign bituminous coal was at $12½ per chaldron; anthracite $11 and $11½ per ton. Foreign has been recently sold at $6 50. Virginia coal is 25 per cent. less than last year—the dealers retail the company's coal at $7½ including cartage, leaving $6 75 as the price of the coal at the yard, or an advance of 75 cents on each ton. The first reduction in the price of wood, commenced in 1828, the first season of the navigation between the Hudson and Delaware, and is now cheaper than it has been for twenty years.

NEW BRITISH MINISTRY. The following, extracted from the York, (Pa.) Republican, is probably from the pen of Mr. Rush, late secretary of the treasury.

Mr. Editor: Let me offer you a few words on the change of ministry in England, of which I have just finished reading the account.

We must not suppose the reign of aristocracy to be at an end, or even that its influence will be likely to grow less in that country, by the change.

There is not in all England, or in Europe, a more lofty aristocrat than earl Grey, though at the head of the whigs.

I will mention a single fact at present. In 1818, at a dinner given in honor of Mr. Fox, at Newcastle, earl Grey, as one of the speakers, was not satisfied with simply denouncing annual parliaments and universal suffrage, which sir Francis Burdett, major Cartwright, (Mr. Jefferson's correspondent), and others of that party, were contending for; but so desirous did he appear not to fall under the least suspicion of republicanism, that he went out of his way to express his disapprobation of the principles of the constitution of the United States, and to inveigh against what he called our impure and corrupt elections in this country.

Then, in this new whig ministry, we have as chancellor of the exchequer, lord Althorp, son of earl Spencer, a nobleman of like high bearing with earl Grey, in place of Mr. Goulbourn: as home secretary, lord Melbourn in place of sir Robert Peel, the son of a manufacturer; as colonial secretary, lord Goderich, another nobleman, and the brother of a nobleman, lord Grantham, in place of sir George Murray; as master of the mint, lord Auckland in place of Mr. Herries; as chancellor of the duchy of Lancaster, lord Holland, in place of Mr. Arbuthnot; as pay master of the forces, lord John Russell, son of the duke of Bedford, in place of Mr. Calcraft—and so by going through the entire list, it would be seen that the new officers, with their connexions, show a remarkable predominance of noblemen over the late ministry, and of noblemen of ancient families.

In blood, it is more aristocratical than lord Wellington's ministry; than Mr. Canning's; than lord Liverpool's; or probably than that of any that has been formed in England for the last fifty years. It is very powerful in talents.

It stands so pledged by a long course of opposition to some reduction in the expenses of the government, and some change in the representation in the house of commons, that, if it last long enough, which is doubtful, it cannot get off, and perhaps would not wish to; but the reduction and the changes, will be scrupulously under the safeguard of aristocracy.

Whoever expects that its administration, at home or abroad, will, otherwise, take any other direction than that of aristocracy, and high aristocracy, will, I think, be disappointed.

I venture to predict, that this English ministry will not side with France, in the great battle that is coming on in Europe, between the kings and the people. TEMPLE.

FIRES IN ENGLAND. The work of destruction by setting fire to barns, hay-stacks, and breaking labor-saving machines, has spread nearly over the whole kingdom of Great Britain. It commenced early in the month of November, immediately after the king's speech was delivered to parliament, and continued to our last dates from London, the 1st of December. The English papers are all filled with the most appalling and frightful details. All entreaties with the infuriated rabble are of no avail. The civil authority is disregarded, and it is only when the strong arm of the government, aided by the military force, is brought to bear upon them that they can be made to desist. To attempt to copy all the accounts would be almost a hopeless task; they would fill twenty solid columns of a newspaper. How these misguided men, who complain of excessive taxation, expect to better their condition by such wanton and wicked acts, it is difficult to conceive. [*N. Y. Post.*

SWITZERLAND. Speaking of this country, the London Courier says—"it was high time for reformation. The despotism of the sultan is not half so odious as the constitution of the republic of Switzerland—a government which, with a mockery of liberty at home, has ever sold the means of tyranny to any of the despots of Europe who chose to purchase them."

Switzerland has been recently much agitated—the people of several of the cantons had assembled in great masses, and demanded a reformation of their constitution, &c. Twelve thousand armed peasants had deposed the government of Berne, and so they go on. We wish them success: for whatever may have been our sympathies for the *people* of Switzerland, generally, the wretched degradation that they have *permitted* in being sent out as mere *fighting-machines*, to kill or murder persons who never offended them, as commanded by *foreign* kings, has caused us to consider them as among the meanest and most rascally of the human race. And it may be expected that they will relieve themselves of this abomination, as well as others.

☞ A visit to Annapolis, intended to have occupied only three days at the furthest, because of the great inclemency of the weather being extended to a week—caused no small embarrassment in the editor's business—but, involved in a mass of documents, the matter for the present sheet could not have been materially varied, had he been at his post.

The snow-storm that commenced on the 14th instant, was one of the most violent experienced, (its duration being considered), for many years past. The navigation of our rivers was suddenly closed, and our roads blocked up by huge banks of driven snow. At one time, three northern mails, four south of Washington, and three west of Hagerstown, were all due at the Baltimore post-office, notwithstanding the utmost exertions of the contractors and carriers to get them along—in which some of the latter suffered exceedingly.

We much desire to insert the report of the committee on manufactures, with the counter report of the minority of that committee. On the latter, (contrary to usual custom), the editor will feel himself allowed to make some free comments—because that his own name has been strangely introduced into the subject. He has no personal complaint to make on that account—it is rather complimentary than otherwise, (the whole facts being stated), but he thinks it undignified that the opinions of private individuals should be LUGGED into a paper of so grave a caste as a report to the house of representatives of the United States.

He observes also that Mr. Ritchie and his "Practical Man" have *favored* him with about three and an half of the heavy columns of the "Richmond Enquirer," which time has not been allowed to do more than look at. But he will read the articles; and, when room can be obtained, notice both, as they shall appear to deserve. Neither seems to contain any thing—but "words."

It may be expected that the documents concerning the British West India trade will be concluded next week; but they will yet occupy much additional space.

NILES' WEEKLY REGISTER.

FOURTH SERIES. No. 23—VOL. III.] BALTIMORE, JAN. 29, 1831. [VOL. XXXIX. WHOLE No. 1011.

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT $5 PER ANNUM, PAYABLE IN ADVANCE.

☞A very large quantity of matter, arranged for publication, remains over; and so a great deal must, until after the rising of congress.

☞The proceedings of the judiciary committee of the house of representatives, are of mighty magnitude, and fearful import. We are of those who have thought, and still believe, that the powers of the supreme court might be advantageously modified—but would fear to touch that high and honorable institution, in a season of party excitement—such as the present. It is manifest to the mind of every reflecting man, however, that there must be some tribunal of last resort—some body whose decision shall be final, else it is impossible that the union should continue. If each of the "nations" of this confederacy may construe the constitution in its own "sovereign" will, the sooner that we prepare for separation and civil war the better. But we will not "despair of the republic." *Party* never yet has been omnipotent in this country, and, we trust, will not be. In the whirl of political excitement, the "still small voice" of reason has been heard, and will still be attended to.

☞The "Richmond Enquirer" of the 13th, as mentioned in our last, has three and a half heavy columns *at* "Mr. Niles" and about the tariff—but neither party in this matter, [Mr. Ritchie, and his "practical man"] appear to deserve particular notice; and if so, to do them *justice*, would require more room than can be spared for such discussions at this time. Mr. Ritchie does not seem altogether pleased with what I said of him, nor did I not suppose that he would be, and so, perhaps, he has been excited to accept my invitation to a discussion of the "*constitutionality, operation* and *effect* of the American system, as applicable to the protection of domestic industry," &c. Mr. Ritchie says—"We neither like the labor of writing long articles, nor can we read without a "groan" the long, namby-pamby, drivelling, 'bald and disjointed cheat,' of our worthy cotemporary.—But [illegible] the end of one month after the rising of congress, he does not see fit to change his purpose, we will adjust the lists, and proceed in due season to the "war of words!"

I do not exactly comprehend what Mr. Ritchie means—the word "cheat," unless meant for *chat*, is a queer one; and his aversion to "long articles," is for the first time heard of! It would not seem well fitted—after Mr. R's *lengthy* explanations of the meanings of presidential messages: of which I know nothing, except as might be obtained by the application of a yard-stick—some of the sets of explanations being about three times seven, or twenty-one feet long! *I* shall *not* change my purpose; and "expect to hear" from Mr. Ritchie, at the end of a month after the rising of congress.

The long article as from a "Practical Man," is one that I would tear into tatters, were it worth the while. He has given a certificate of the collector of the port of Richmond, as to the importation of certain cloths. It only shows that the case, "*as presented*" by this writer, did *not* come from the custom house. But the whole article is so diffuse, that it is useless to present a reply. The facts, so far as they might be grappled, are entirely with us.

☞The debate on Mr. Stanberry's motion to strike out of the general appropriation bill the item of $9000, for payment of the salary of the minister of the United States to Russia, is one of much immediate interest and curiosity, and shews an uncommon degree of feeling, and severity, in the parties engaged in it. An instant and full insertion of it should be given, had we the room for it at our disposal; but the mass of documents is so heavy, that a record of it must be postponed—a place, however, shall be made for the leading speeches on both sides. There is much self-denial in thus deferring things of more direct interest, that our chief purpose of presenting important documents may have application.

We now conclude the papers concerning the British West India trade, and also insert the report of the committe on manufactures, which latter shall be followed by the counter report of the minority of that committee, concerning which we shall feel at liberty to make some free remarks, as soon as room for them can be allowed; objecting as well to the *manner* as the *matter* of the last mentioned paper—and whence it was derived is a subject of enquiry!

GEN. JACKSON. The "Globe," published at Washington, says—"We are permitted to say, that if it should be the will of the nation to call on the president to serve a second term as the chief magistrate, he will not decline the summons."

Similar statements are made in other quarters, and we presume it is now understood that gen. Jackson will again be a candidate for the suffrages of the people.

There is much speculation as to the causes for this proceeding; and a great deal has been said about certain differences between two distinguished gentlemen, who, it was thought, had both strongly desired to succeed the general in the presidency. These things are of much interest to politicians, but do not come within the plan of this work.

THE PRESIDENT has addressed the following letter to John R. Pringle, intendant of the city of Charleston, dated Washington, December 24, 1830—

Sir: I have received, through col. Drayton, your very polite note of the 16th instant, written agreeably to a resolution of the city of Charleston, by which I am invited to visit that city, when it may be most convenient for me.

For this evidence of the kind regard of those who represent the wishes of Charleston, I pray you to make acceptable, this return of my sincere thanks. Although it will be gratifying to my feelings, to avail myself of so favorable an opportunity to visit the emporium of my native state, I am yet prevented by my official engagements from designating the period when I can seize it.

With the most anxious solicitude for the prosperity and happiness of the city of Charleston, I beg you, sir, to be assured of the high respect I entertain for that portion of their authority, entrusted to the city council; and also, of the sentiments of personal regard which are due to the politeness you have manifested on this occasion. Your most obedient servant, ANDREW JACKSON."

MR. WIRT. The senate chamber and its galleries could not contain the half of those who proceeded to the capitol, to hear Mr. Wirt's speech in defence of judge Peck.

THE SNOW STORM which commenced at Baltimore on the 14th inst. appears to have extended nearly over all the United States. The papers east, west, north and south, all have the same account to give of its violence. In the north, it is called a storm "worthy of the best days of our fathers!"—"a genuine old fashioned snow storm," &c. The wind was of fearful power, during its continuance. Even so far south as Milledgeville, there was a heavy fall of snow. This storm is said not to have been equalled by another since 1761.

There was a great deal of suffering at many places because of the storm, the long continued rains having forbidden the usual supplies of fuel. At Winchester,

Virginia, for example, many out-buildings were destroyed, and ornamental trees cut down, to keep the people from perishing. One poor woman broke up her table and bread tray to preserve her children.

REFLUX OF SPECIE. We mentioned a few days ago, that specie had become an article of export from China—since when we have met with the following in a New York paper—

Shipment of specie at Canton—The statement of the amount of specie exported from Canton, (the time not given) is from the Canton Register, which mentions, that most of the dollars were of the stamped kind, which circulate in the interior.

To England,	$1,659,383
Calcutta,	2,013,023
Bombay,	2,243,458
Other places	143,041
Total	$6,064,805

Another event more extraordinary has happened—bills drawn by the bank of the United States on London, are now carried to Canton, and there sold at an advance, for remittance to London, being more convenient, more safe, and better than dollars!

MAIL ROBBER. For some weeks past, many letters had been plundered between Wilmington (Del.) and Baltimore. A trap was laid to catch the thief, and a person named Cunningham, (a newly-made postmaster at Abbington, Maryland), has been arrested and committed, as a robber of the mail.

KENTUCKY. There were 15 ballots by the legislature of this state to elect a senator of the United States. Mr. Crittenden had 68 throughout, one ballot excepted. On the first ballot, Mr. Rowan had 20, on the 7th, 49 his highest vote; on the 1st ballot, col. R. M. Johnson had 48, and on the 4th and 5th, 64, his highest vote; on the first ballot, Mr. Wickliffe had one vote, on the 9th, 50, his highest vote; on the 15th and last ballot, Mr. Crittenden had 68 and Mr. Breathit, (a new candidate), 65 votes Sixty-nine votes would have elected Mr. Crittenden. This gentlemen, (the speaker of the house of representatives), did not vote on any occasion. It appears that the election will be postponed until the next session. There is much feeling, and on both sides, on this subject, with severe impeachments of the motives of persons. James Davidson has been elected treasurer of Kentucky, Henry Wingate and Peter Dudley, presidents of the banks. J. H. Holman public printer, by a majority of 8 votes. All these are friends of Mr. Clay, and shew that some of the members stood committed, as to the election of a senator of the United States.

LOUISIANA. Josiah S. Johnston has been re-elected a senator of the United States, from this state, for six years from the third of March next.—For Mr. Johnston 29, gen. Dawson 22, scattering 2.

NOMINATIONS. The National Republican, of Rhode Island have nominated *John Brown Francis* as a candidate, for the office of governor, in opposition to gov. *Fenner*. The Jackson party have nominated gov. *Fenner* for re-election.

The anti-masons in Connecticut have nominated as their candidate, *Timothy Pitkin*, well known as a representative in congress formerly, and as the author of a valuable work on statistics, and more recently of the history of the United States. The election takes place in April. Gov. *Tomlinson* has been elected to the United States senate. [We learn that Mr. *Pitkin* has declined the nomination.]

The Jackson convention in New Hampshire have nominated gen. *Samuel Dinsmoor*, to succeed gov. *Harvey*, who has been recently appointed U. S. district judge. Mr. *Woodbury*, of the senate, was put in nomination: on the first ballot Mr. *Dinsmoor* received 71 votes, Mr. *Woodbury* 42, and there were 61 scattering; on the second ballot, Mr. *Dinsmoor* received 130, Mr. *Woodbury* 26, the rest scattering.

TWENTY-FIRST CONGRESS—2d SESSION.

SENATE.

January 21. Various memorials and petitions of a private nature, as well as some relative to the Indians were presented.

The resolution of Mr. *Benton* relative to the British establishments in the valley of the Columbia, and the fur trade of American citizens in that quarter, was adopted.

Mr. *Johnston* presented a memorial from sundry citizens of Louisiana, praying for the establishment of a land office at New Orleans.

Mr. *Robinson* submitted the following resolution:

Resolved, That the committee on public lands be instructed to inquire into the expediency of the United States giving their assent to the state of Illinois, to sell such part as that state may deem proper of the lands reserved for saline purposes at the Vermillion salt springs in said state.

The bill making an appropriation of fifty thousand dollars for the improvement of the navigation of Back creek was taken up, and, on motion of Mr. *Woodbury*, laid on the table for the present.

The bill for the payment of the witnesses and other expenses attending the trial of judge Peck was read a second time and passed to a third reading. The bill appropriates $12,000 for these purposes.

On motion of Mr. *Foot*, the senate again resolved itself into a high court of impeachment.

Mr. *Meredith* continued his argument for the respondent until half past three o'clock.

The court then adjourned until to-morrow.

January 22. Mr. *Smith*, of Maryland, presented the memorial of the city of Baltimore, praying the establishment of a light house at the entrance of that harbor.

Mr. *Ellis* presented the memorial of the Mississippi legislature praying the appointment of an engineer to make certain surveys in that state.

Mr. *Benton* reported a bill making an appropriation to treat with, and providing for the removal of the Kickapoo tribe of Indians.

The bill from the house of representatives relative to the mileage of members of congress was ordered to a second reading.

On motion of Mr. *Foot*, the senate again resolved itself into a high court of impeachment.

Mr. *Meredith* concluded his argument at 20 minutes past one o'clock.

Mr. *Wirt* then rose to address the court for the respondent, and after the delivery of his exordium, was proceeding to consider the merits of the case; when, at the suggestion of Mr. *Webster*, the court adjourned until Monday.

January 24. Mr. *Burnet* presented the petition of the inhabitants of Brown county, Ohio, praying an alteration in the post office law, so as to prohibit the opening of the mail on the sabbath—it was referred.

Many petitions and memorials were presented, and several bills of a private nature reported and read and referred.

The bill from the other house to establish a uniform rule for computing the mileage of members of congress, was twice read and referred to the committee on the post office and post roads.

Mr. *Iredell* reported the bill for the purchase of an additional quantity of lands for the fortifications at fort Washington.

The bill to provide for the legal adjudication of land claims in Louisiana, was read a third time and passed.

Sundry private bills were severally ordered to be engrossed for a third reading.

On motion of Mr. *Foot*, the senate again resolved itself into a high court of impeachment.

In consequence of what had fallen from Mr. *Wirt* on Saturday, Mr. *M'Duffie* this morning felt himself called upon to say, in substance, that the publication of his remarks, in opening the case against judge Peck, had been made without his authority; that the report of these remarks must have appeared evidently imperfect, though probably as perfect as, under the circumstances, it could have been; and that, if he had been consulted, he should have advised against the publication.

Mr. *Wirt* acceded to the correctness of these suggestions, and appeared to do so the more readily from the fact that he had seen his own remarks, made on Saturday, published this morning, without his having been consult-

ed on the subject. He added, that he was sure that nothing had been said by the honorable manager in his opening speech, of the truth of which he had not been entirely satisfied.

Mr. *Wirt* then resumed the floor in continuation of the speech which he commenced on Saturday, in favor of the respondent.

At a quarter past three o'clock, the court and senate adjourned until to-morrow.

January 25. The *vice-president* communicated a letter from the the secretary of the treasury, and one from the commissioner of the general land office.

Several memorials and petitions of a private nature were presented, as also, several on the subject of Sunday mails.

Mr. *Webster* presented the petition of Thomas Denny, praying that grain and other articles may be authorised to be brought into this country from Canada, for the purpose of manufacture, free of duty.

Mr. *Hendricks* presented from the legislature of Indiana—

1. A resolution in favor of the establishment of a land office in the northern part of that state.

2. A resolution in favor of an appropriation of a portion of the public lands to aid the state in the improvement of the road from Madison to Indianopolis.

3. A memorial, praying that one section of public land may be granted to each county of that state, for the support of asylums for the reception of paupers.

4. A resolution in favor of extending further relief to purchasers of public lands: and,

5. A resolution in favour of an immediate extinguishment of Indian titles to lands within that state.

The preceding resolutions and memorials were referred to the committee on the public lands.

Mr. *Noble* presented the memorial of the legislature of Indiana, praying for an appropriation to be applied to grading, bridging, and continuing the Cumberland road. It was referred to the committee on roads and canals.

A message was received from the president containing the information required in relation to the British establishments in the valley of the Columbia, and the state of the fur trade carried on by the citizens of the United States and the Hudson Bay company.

Mr. *Tyler*, reported a bill making appropriations for the completion and support of the District penitentiary.

Mr. *McKinley* reported the bill, without amendment, amendatory of the act for taking the census.

Several private bills were also reported.

The bill and amendment for ascertaining and marking the boundary line between Alabama and Florida, and for other purposes; the bill to amend the act granting certain relinquished and unappropriated lands to Alabama for improving the navigation of the Tennessee and other rivers, were severally ordered to be engrossed and read a third time.

On motion of Mr. *Foot*, the senate again resolved itself into a high court of impeachment.

Mr. *Wirt* occupied four hours in concluding his speech for the respondent. Wit, sarcasm, searching argument, and impressive eloquence, poured forth in rivulets and streams, rivetted the attention and elicited the admiration of a crowded senate room and crowded galleries, during that long space of time. Whatever might be the fate of the respondent, said the graceful orator, in subdued and almost exhausted tones; whether convicted or acquitted, *he* should always be proud to take him by the hand as that noblest of God's works, AN HONEST MAN, and to call him HIS FRIEND.

Mr. *Storrs* will take the floor to-morrow.

The court and senate then adjourned.

January 26. The *vice president* communicated a letter from the secretary of war with a statement of the contracts made by the department for 1830.

Several memorials were disposed of.

Mr. *King* presented the memorial of the legislature of Alabama, praying for an extension of the right of preemption to settlers on the public lands; for further relief to the purchasers of public lands; and for a graduation of their prices. It was referred to the committee on the public lands.

On motion of Mr. *Benton*, fifteen hundred extra copies of the message of the president, concerning the fur trade in the valley of the Columbia, and certain other documents connected with the subject, were ordered to be printed.

The bill for ascertaining and marking the boundary line between Alabama and Florida, and the northern boundary line of Illinois; the bill to amend the act for improving the navigation of the Tennessee and other rivers; and the bill for the relief of William Scott, were severally read a third time and passed.

Mr. *Hendricks* presented the following resolutions:

Resolved, That the committee on the public lands be instructed to inquire into the expendiency of authorising the legislature of the state of Indiana to sell the lands reserved for saline purposes in that state.

Resolved, That the committee on commerce be instructed to inquire into the expediency of authorising a survey of the mouth of Trail creek, at the southern bend of lake Michigan.

Resolved, That the committee on post office and post roads be instructed to inquire into the expediency of establishing a post route from Indianopolis, by way of the seat of justice of Boon county and Thorntown, to Lafayette: also, from Madison, by Paris, to Brownstown, in the state of Indiana.

The resolution of Mr. *Livingston*, the object of which was to open the right, in the members of the senate, to debate the articles of impeachment against judge Peck, was taken up, and on motion of Mr. *Webster*, again laid on the table.

The bill for the relief of Daniel Tilton was taken up, and supported by Mr. *Chase*, and opposed by Mr. *Hayne*, Mr. *Brown*, and Mr. *Noble*. Mr. *Foot* vindicated the committee on pensions from imputations which he supposed to have been cast upon it.

The bill was then laid on the table.

On motion of Mr. *Foot*, the senate again resolved itself into a court of impeachment.

Mr. *Storrs* rose and addressed the court in support of the impeachment, for upwards of three hours. He maintained the position, that no free citizen could be punished by the summary process of attachment for a libel or contempt against any court in a cause not pending in that court; that such a power had never been exercised, even by the courts of England; that the charge against judge Peck was not so much for suspending Mr. Lawless, as an attorney, from practice in his court, but for imprisoning him, and depriving him of his liberty as a citizen, without indictment and trial by jury; that libels or contempts, for causes not pending in court, were misdemeanors, which could only be punished by indictment and trial, and that the conduct of judge Peck tended to break down all the securities and guards which the law had raised for the protection of the liberties of the American people. The speech was distinguished by remarkable legal acumen and research. It is to be concluded to-morrow; till which time the court and senate adjourned.

January 27. The vice president communicated a letter and memorial from workers in iron in the city and county of Philadelphia, praying for a reduction of duty on iron.

Mr. *Hayne* moved that the letter and memorial be printed.

Mr. *Marks* moved that they be referred to the committee on manufactures. On the division of the senate on the latter motion, there were 15 for and 15 against it, the vice president gave the casting vote against the motion, when the memorial and letter were referred to a select committee consisting of Messrs. *Hayne, Dickerson, Bell, King* and *Tyler*.

Mr. *Clayton* moved a resolution investing the committee charged with the investigation of the post office department, with power to send for persons and papers. The bills to authorise the building of three schooners and for the encouragement of the cultivation of the grape and the olive, were severally read and ordered to be engrossed for a third reading.

On motion of Mr. *Foot*, the senate resolved itself into a court of impeachment—when Mr. *Storrs* concluded his argument. After he had finished the court and senate adjourned.

HOUSE OF REPRESENTATIVES.

Friday, Jan. 21. The resolution yesterday submitted by Mr. *Leiper* was adopted.

Mr. *Drayton* laid on the table the following:

Resolved, That the secretary of war be directed to report to this house the number and rank of field and company officers now upon duty, with their regiments or companies, or exercising appoint-

ments in the staff, or any other appointments, which detach them from their regiments or companies; and also the number of officers who are upon furlough, distinguishing their grades, and the length of times for which their furloughs have been respectively granted.

On motion of Mr. *Whittlesey*, the call for resolutions for this day was suspended, with the view of acting upon bills from the senate.

The *speaker* laid before the house a letter from the secretary of the treasury, transmitting a digested manual, containing the best practical information on the cultivation of sugar cane, and the fabrication and refinement of sugar, including the most modern improvements; prepared in obedience to an order of the house; which was laid on the table.

The *speaker* also laid before the house a report from the secretary of war, upon the subject of a reduction of the number of officers in the army of the United States; which was referred.

The bill "to establish an uniform mode of computing the mileage of members of congress and delegates from territories," was read a third time and passed.

Mr. *Williams* submitted to the house the following, which he was desirous to have printed; and which, he said, he should offer as an amendment to the bill, "supplementary to the act for the relief of certain surviving officers and soldiers of the revolution."

Sec. 5. *And be it further enacted*, That each officer, non-commissioned officer, musician, and private soldier, of the militia, who served in the revolutionary war, for and during the term of —— months, shall receive a pension at the rate fixed by the act of March the 18th, 1818, directing the allowanee of pensions to officers and soldiers of the continental establishment.

The following joint resolution was read the third time:

"*Resolved*, &c. That the rules of each house shall be so amended as to make it the imperative duty of the secretary of the senate and sergeant-at-arms of the house of representatives to ascertain, at the end of every session of congress, from each senator, member or delegate from a territory, the number of days which he may have been absent from, and not in attendance upon, the business of the house; and, in settling the accounts of senators, members, and delegates, there shall be deducted from the account or amount of pay for each session at the rate of eight dollars per day for every day any member of either house, or delegate, shall have been absent, except by order, on business of the house to which he belongs, or in consequence of sickness."

The question being upon its passage—a brief debate took place between Messrs. *Thompson*, of Georgia, *Hall*, *Gorham*, *Sutherland*, *Tucker* and *Drayton*, upon the form of the resolution, and its effect upon the rules, &c. Pending the remarks of the latter gentleman, a message was received from the senate, informing the house that that body was now sitting as a court of impeachment, &c.

Saturday January 22. On motion of Mr. *Sill*, the committee of commerce were directed to inquire into the expediency of making an appropriation for erecting a beacon light on the north pier at the entrance of the harbor at Presque Isle, and for making an appropriation for the mouth of Elk creek, and the harbor of Freeport.

On motion of Mr. *Doddridge*, the committee on internal improvement were instructed to inquire into the expediency of making an appropriation for improving the mail stage road from Union tavern in Pennsylvania, through Morgantown and Clarksburg to the Ohio river, in Wood county, Pennsylvania.

Mr. *Hodges* laid the following resolution on the table.

Resolved, That the secretary of state be requested to inform this house what measures have been taken by the executive in relation to the capture, *on the fourth of July*, 1829, of the ship Galatea, late of the port of New Bedford, by a Portuguese naval squadron, then blockading the port of Terceira; and also in relation to the imprisonment and robbery of the crew of said ship; and to the capture of other American vessels under the same order of blockade.

Resolved, That the secretary be requested to lay before this house any correspondence that may have been had touching this matter, within the knowledge or possession of the secretary.

The house resumed the consideration of the joint resolution relative to the pay of members of congress. Mr. *Hall* moved to re-commit it, with instructions. After debate,

Mr. *Carson*, as he said, in order to put the question to rest, and to put a stop to debate, moved to lay the resolution on the table.

On this motion Mr. *Chilton* required the yeas and nays, and they were ordered accordingly by the house. Being taken, they stood—yeas 50, nays 135.

So the house refused to lay the subject on the table.

After which the house resolved itself into a committee of the whole, and proceeded to the senate to attend the trial of judge Peck.

Monday, January 24. Several petitions and memorials were presented.

Mr. *Letcher* gave notice that he would, on Monday next, move the house to take up the bill for the preservation and repair of the Cumberland road.

Mr. *Davis*, of S. C. from the committee on the judiciary, submitted a report from the majority of that committee, on the question of repealing the 25th section of the judiciary act of 1789, accompanied by a bill to repeal the 25th section of the judiciary act of 4th September, 1789.

Mr. *Buchanan*, from the same committee, was desirous to present the report of the minority of the committee; but the speaker stated that the question must first be put on the reading of the bill.

The bill was then read a first time, and a motion made for its second reading: when

Mr. *Buchanan* again moved for leave to present the report of the minority of the committee; but the chair stated that, as the house could not entertain two motions at a time, that made by the gentleman from Pennsylvania was not now in order. He could have an opportunity hereafter to present the report.

Mr. *Doddridge* moved the *rejection* of the bill, and on his motion demanded the yeas and nays.

The *speaker* stated that the question would be on now giving the bill its second reading; and, if the house refused to order it to be read a second time, it would amount to a rejection of it.

On the motion to read a second time, Mr. *Doddridge* demanded the yeas and nays, pending which demand—

A message was received from the senate, informing that that body was now sitting as a high court of impeachment, and the house in committee, attended as usual.

Tuesday, Jan. 25. Various memorials and petitions were presented.

Mr. *Hubbard* presented a representation of the New Hampshire Historical Society, requesting that application be made to the government of Great Britain, for permission to examine and transcribe documents and papers connected with the early history of this country.

Mr. *Test* presented a resolution, adopted by the general assembly of Indiana, requesting congress to adopt measures for the total extinguishment of the Indian title to lands within the limits of that state, as soon as possible; which was referred.

After reading the journal of yesterday.

Mr. *Pettis* said there were several bills from the senate now on the table, and they had lain there several days. In order now to act upon them, he would move so far to dispense with the rule as to dispose of those bills before calling for reports from committees.

The motion prevailed: when bills from the senate of the following titles:

"Making provision for the compensation of witnesses and payment of other expenses attending the trial of judge Peck," and several other private bills, as also the bill

"To provide for the legal adjudication and settlement of the claims to lands therein mentioned;" were reverally twice read and referred.

[On the latter of these bills, which has been before congress for several years, and which provides for a settlement of the claims of the representatives of the marquis of Maison Rouge and the baron de Bastrop to about a million of acres of land in Louisiana, a debate of some length took place as to the proper reference of the bill; in which Messrs. *Pettis*, *Crawford*, *Wickliffe*, *Drayton* and *Buchanan*, participated. It was finally agreed to refer the bill to the committee on the judiciary.]

The *speaker* laid before the house, messages and documents from the president relative to the marine corps and the penitentiary of the District of Columbia.

Mr. *Wayne*, from the committee on the library, reported a joint resolution "directing a subscription for the

stereotype edition of the laws of the United States, proposed to be published by Duff Green;" which was twice read and committed.

The bill yesterday reported from the committee on the judiciary to repeal the following section (25th) of the judiciary act of 1799 was taken up—

[Sec. 25.] *And be it further enacted*, That a final judgment or decree in any suit, in the highest court of law or equity of a state in which a decision in the suit could be had, where is drawn in question the validity of a treaty or statute of, or an authority exercised under, the United States, and the decision is against their validity; or where is drawn in question the validity of a statute of, or an authority exercised under, any state, on the ground of their being repugnant to the constitution, treaties, or laws of the United States, and the decision is in favor of such their validity; or where is drawn in question the construction of any clause of the constitution, or of a treaty or statute of, or commission held under the United States, and the decision is against the title, right, privilege or exemption, specially set up or claimed by either party under such clause of the said constitution, treaty, statute or commission, may be re-examined or revised or affirmed in the supreme court of the United States, upon a writ of error, the citation being signed by the chief justice, or judge, or chancellor, of the court, rendering or passing the judgment or decree complained of, or by a justice of the supreme court of the United States, in the same manner and under the same regulations, and the writ shall have the same effect, as if the judgment or decree complained of had been rendered or passed in the circuit court, and the proceeding upon the revisal shall also be the same, except that the supreme court, instead of remanding the cause for a final decision, as before provided, may, at their discretion, if the cause shall have been once remanded before, proceed to a final decision of the same and award execution. But no other error shall be assigned or regarded as the ground of revisal, on any such case as aforesaid, than such as appears on the face of the record, and immediately respects the before mentioned questions of validity or construction of the said constitution, treaties, statutes, commissions, or authorities in dispute."

The question being on ordering the bill to a second reading.

Mr. *Davis*, of South Carolina, hoped the bill would be allowed now to be read the second time, and that it would be made the order of the day for Tuesday next, which motion he made.

The *speaker* said the bill could not take that course, unless the gentleman from Virginia (Mr. *Doddridge*) would consent to withdraw his opposition.

Mr. *Doddridge* would not consent.

Mr. *Buchanan* addressed the house. He said the measure proposed was one of great importance, and he wished to give an opportunity for members of the house to express their opinions on it freely and fully, and that their remarks might be sent to the people. He was opposed to hasty legislation on important matters; but if the gentleman from Virginia would withdraw his opposition to the second reading, he would move to postpone the consideration of the bill to Tuesday next. Such a motion, he presumed, would not be in order now.

The *speaker*—No. The chair will read the rule of the house, for the information of gentlemen.

[The *speaker* here read the rule, as follows.]

"The first reading of a bill shall be for information; and, if opposition be made to it, the question shall be, "shall this bill be rejected?" If no opposition be made, or if the question to reject be negatived, the bill shall go to its second reading without a question."

Mr. *Doddridge* now consented to withdraw his opposition.

Mr. *Bates* inquired whether, if the consideration of the bill was postponed to Tuesday next, it could then be considered in committee of the whole.

The *speaker* said, that, after the bill had been read a second time, it could go to a committee of the whole, or be otherwise disposed of, as the house might direct.

A desultory debate here occurred, in which Messrs. *Martin*, *Buchanan*, *Storrs*, *Doddridge*, *Ramsay*, *Daniel*, *Archer*, *Wickliffe*, *Ellsworth* and *Johnson* of Kentucky took part. Before any decision had been had, the hour for morning business expired.

By leave of the house Mr. *Buchanan* then presented the report of the minority of the judiciary committee against the measure proposed, and that, together with the report of the majority of the committee, were ordered to be printed.

Mr. *Speight* laid on the table the following:

Resolved, That the secretary of war inform this house whether or not it is expedient to erect fortifications at or near Ocracock inlet, with a view to the more permanent security of that section of North Carolina, in case of invasion.

The hour of 12 was here announced by the chair, and the house, in committee of the whole, Mr. *Martin* at its head, proceeded to attend the high court of impeachment. Having returned, the committee reported progress, and

The house adjourned to 11 o'clock to-morrow.

Wednesday, January 26. The *speaker* laid before the house a communication from the secretary of war, enclosing a list of contracts made by the officers of the war department in the year 1830—also a letter from the secretary of state, transmitting a plan of the city of Detroit, within the territory of Michigan—which were laid on the table.

Also a memorial from citizens of the city and county of Philadelphia, mechanics, employed in various branches of the manufacture of iron, viz: steam engine makers, anchor and chain smiths, ship smiths, machinists, founders, hard-ware manufacturers, edge tool makers, lock smiths, coach and wagon smiths, farriers and black smiths, praying that such a modification of the existing tariff of duties on iron, as therein set forth, may be adopted; which memorial was referred to the committee on manufactures.

Mr. *Doddridge*, from the committee for the District of Columbia, reported a bill "for the more speedy administration of justice within the District of Columbia; and for other purposes," which was twice read and committed.

Mr. *Thompson*, of Georgia, from the committee on the militia, reported a bill "for the better organization of the militia of the District of Columbia;" which was twice read.

Mr. *Speight* of N. C. adverted to the reference of the memorial from citizens of Philadelphia city and county, asking a reduction of duty on iron, and moved that the vote be reconsidered with a view of referring it to the committee of ways and means. He said that the committee on manufactures had already prejudged the case.

This brought on a desultory discussion. Mr. *Ramsey*, Mr. *Mallary*, Mr. *Miller*, of Pa. opposed the motion. Mr. *McDuffie*, chairman of the committee of ways and means said that with respect to prejudging, the two committees stood precisely alike. He asked whether the committee on manufactures would give the subject a fair investigation. Mr. *Mallary*, chairman of the committee on manufactures, answered affirmatively—when Mr. *Cambreleng*, of New York, said, after the declaration made by the gentleman at the head of the committee on manufactures, that the subject would be fully investigated before that committee, he hoped the gentleman from North Carolina would withdraw his motion.

Mr. *Huntington*, of Connecticut, said that this was not the time to determine whether the complaint of the memorialists be or be not well founded. But it would be recollected that at the commencement of the session this whole subject had been referred to the standing committee on manufactures, from whom the effect of the proposed reference to another committee would be to take it away. This, he thought, was not an usual, if a decorous procedure. The subject would, he had no doubt, receive, before the standing committee, a full and fair investigation.

Mr. *J. S. Barbour*, of Virginia, (one of the members of the committee of manufactures) took this occasion to say that, as was known to the house, a report had been made from that committee, and a counter-report had been presented by the minority. With the greatest respect for the gentlemen composing these two divisions of the committee, he begged leave here to say that he dissented both from the majority and the minority.

Mr. *Speight* then rose, and in consequence of what had fallen from the members of the committee of manufactures, withdrew his motion for re-consideration.

The house then resumed the consideration of the joint resolution "relative to the pay of members of congress;" together with the instructions proposed to be sent to the committee on public expenditures, when that resolution was last under consideration.

Mr. *Sutherland* said a few words in explanation of what had fallen from him on a preceding day; when

Mr. *Hall* proposed a modification of the instructions by adding to them a proviso: that the bill, as proposed, should not have a retro-active operation.

Mr. *Hoffman* was opposed to the recommitment of the resolution, and called for the yeas and nays on the question.

[Here the hour for morning business expired.]

Mr. *Buchanan* laid on the table certain amendments which he should propose to the bill "for the preservation and repair of the Cumberland road," when that bill should come up for consideration, and asked to have them printed. The motion prevailed.

On motion of Mr. *Spencer*, of New York, 3,000 additional copies of the report of the secretary of the treasury on the subject of the cultivation of sugar cane, and the manufacture of brown sugar, recently transmitted to congress, were ordered to be printed.

Mr. *Boon* laid on the table the following:

Resolved, That the secretary of war be directed to lay before this house any information in his possession relating to a survey of the Wabash river, and the probable cost of removing the obstructions to the navigation of the same, below the termination of the contemplated canal, to connect, at navigable points, the waters of the Wabash river with those of lake Erie.

Mr. *Wickliffe* laid on the table certain amendments which he should propose to the bill, "making an appropriation for the improvement of the Ohio river," when that bill should come up for consideration, and asked to have them printed; the printing was ordered by the house.

The house then, on motion of Mr. *Haynes*, resolved itself into a committee of the whole, Mr. *Martin* in the chair, and proceeded to attend the trial before the high court of impeachment. Having returned, the committee reported progress, and

The house adjourned till 11 o'clock to-morrow.

Thursday, Jan. 27. Mr. *Cambreling* reported the bill from the senate to authorise the transportation of merchandise, by land or water, with the privilege of debenture—it was ordered to be read a third to-morrow.

Mr. *Letcher* reported a bill to authorise a subscription of stock to the Monongahela bridge company—twice read and committed.

The house resumed the consideration of the joint resolution, relative to the pay of members of congresss—which passed by a vote of 159 to 21.

The bill relative to the lands between Ludlow and Roberts' lines, was considered in committee of the whole, Mr. *Howard* in the chair. A debate ensued upon an amendment; but before it had concluded, the house resolved itself into committee of the whole, and proceeded to the senate to attend the trial of judge Peck. Having returned, the house resumed the above bill, and, without continuing the debate, the committee rose and reported progress and had leave to sit again. After receiving several motions, the house adjourned until 11 o'clock to-morrow.

BRITISH WEST INDIA TRADE.

Papers accompanying the message of the president of the 3d January, 1831.

[CONCLUDED.]

Mr. McLane to Mr. Van Buren.

London, August 20, 1830.

SIR! I have the satisfaction to forward herewith a letter from the earl of Aberdeen, dated the 17th instant, by which it will be perceived that my negotiation for the colonial trade is successfully closed; and that this government consents to restore to us the direct intercourse with her American colonies, upon the terms of the proposition submitted by me on the 12th of December last.

It will be perceived, also, that, from an apprehension that the late act of congress might admit of an interpretation incompatible with the terms of my proposition, and the act of parliament of the 5th July, 1825, the British government have accompanied their consent with an explanation of the construction which, in their opinion, the law ought to receive, and to which their proceedings will be conformed. This is precautionary, however, and intended to guard against misapprehension in future. The proclamation of the president, which is authorized upon evidence satisfactory to himself, will be immediately followed upon the part of Great Britain, by the revocation of the order in council of July, 1827, the abolition of the discriminating duties on American vessels in British colonial ports, and by extending to the vessels of the United States the advantages of the act of parliament of the 5th July, 1825.

If it had been admitted that the late act of congress varied intentionally from the terms of our proposition, and the British act of the 5th July, 1825, and demanded advantages not contemplated by the latter, it would have been considered as reviving pretentions already given up, and must have had the effect of entirely defeating any hope of recovering the colonial trade. Recurring to your letter of the 18th June last, communicating the president's message to congress, and a copy of the law, I did not doubt that the act was, in fact, intended to authorise the president to give effect, in the recess of congress, to the known and uniform object of the negotation, and to accept a renewal of the trade upon the terms of the proposition which I had been authorised to make. I felt it my duty, therefore, to concur in the suggestion, that the supposed deviations in the law from the act of the 5th July, 1825, were apparent merely, and neither intentional, nor for the purpose of advancing any new claim upon the part of our government.

My instructions authorised me to propose that the United States should now comply with the conditions of the act of 5th July, 1825, by repealing our restrictive laws, "if such a measure would lead to the revocation of the order in council of July, 1827, to the abolition or suspension of all discriminating duties on American vessels in the British colonial ports, and to the enjoyment by us of the advantages of the last mentioned act of parliament."

These instructions were literally pursued in the proposition which I submitted in December last, and, together with it, were communicated to congress. But it will be apparent to you that, if the law necessarily authorise a different construction than that adopted by this government, it will not be a compliance with the conditions of the act of parliament, but demand advantages which, by that act, are expressly denied, and by this government allowed to no other country.

The navigation act of Great Britain, by which all her previous acts upon that subject are repealed, and her system permanently established, passed simultaneously with the act of the 5th July, 1825, regulating the trade of the British possessions abroad; and by that act the importation, both into her European and colonial ports, is restricted to the vessels of the country of which the articles imported shall be the produce. Nor has this restriction been considered inconsistent with our commercial convention with Great Britain, which we have anxiously sought to extend to the colonial intercourse. The beforementioned act of the 5th July, 1825, regulating the trade with the British possessions abroad, refers, in express terms, to the act concerning navigation, and limits the right of importation into the British colonial ports to American produce, and to vessels coming directly from the ports of the United States. By acceding to the terms of our proposition, therefore, Great Britan extends to our vessels all the advantages of the act of 5th July, 1825. She morever places the United States, in the intercourse with the colonies, on the same footing with all other nations; and by assenting to regulations, though by legislative enactment, in the colonial trade, similar to those provided by our commercial convention for the intercourse between the United States and the British possessions in Europe, she now concedes to us, in this respect substantially that which we have been ineffectually seeking since the year 1815.

I am not aware that the restriction of the right of importation into the colonies to articles of American pro-

duce, was at any period seriously objected to by our government. Nor can the difference, in this respect, between American and British vessels, if we allow it to continue, be an object of much importance in any point of view. It will generally be our interest, as it is that of every other nation, to allow the exportation of its surplus foreign produce in the vessels of any other country. It must be observed, also, that this is a privilege resulting from the general spirit of our laws, and therefore resting in our discretion. There is nothing in the arrangement now proposed to prevent the United States from hereafter denying to British vessels this advantage, if it prove injurious to their commerce, and in placing by that means the vessels of both countries, in this respect, upon an equal footing. I ought to observe, however, that sound policy would not warrant such a measure at any time.

Independently of these considerations, it is certain that both the restrictions now reserved by the construction adopted by this government were absolutely conceded by ours before the present negotiation commenced, and could not have been renewed at present with any hope of success. More than has been secured by the present labors, the concessions of the last administration precluded us from demanding. But if this had not been so, more could not have been obtained.

In the letter of Mr. Gallatin to Mr. Clay of the 27th October, 1826, the meaning of the British act of parliament of 5th July, 1825, which does not appear to have been previously understood by our government, is fully and intelligibly explained. To ascertain the precise state of the regulations at that period, and the extent of the conditions and restrictions prescribed by the famous act of July, 1825, Mr. Gallatin reviewed all the British statutes upon this subject, and superadded the following observations.

"From what precedes, it follows, first, that the restriction which limits the importations in foreign vessels of goods into the British West Indies and American colonies, *to vessels of the country of which the goods are the produce, and coming direct from such country*, having been revived by the navigation act of the 5th July, 1825, is still in force; secondly, that the restriction which limited the exportations in foreign vessels of goods exported from the British West Indies and American colonies, to a direct exportation to the country to which such vessel did belong, is so far repealed as that such exportations in such vessels may be made to any country whatever, Great Britain and its dependencies excepted."

"Although there is no prospect that any arrangement will shortly take place on that subject, yet it is desirable to be prepared for any contingency. And I wish that the president would take into consideration whether, supposing an arrangement, either by convention or by mutual modification on both sides of existing laws or regulations, to be practicable, it would be proper, so far as relates to navigation, *to agree to the terms contained in the acts of parliament.*"

"The most important of the restrictions on the direct or circuitous trade, that which limited the exportation from the British West Indies in American vessels to the United States, has been repealed; and there remain but two—such exportations cannot be made in American vessels to Great Britain or her dependencies, a point on which we cannot insist, and which is already given up by the instructions; *and the importations into those colonies of American produce, must, if made in American vessels, be direct from the United States.* It is necessary, on that account, to insist on the right of preventing British vessels, other than those coming direct from the colonies, from clearing from the United States for those colonies? Or, in other words, (for it is clear that with such restriction no arrangement is practicable), is it worth while, on that account, to continue to cut off altogether the intercourse between the United States and the British colonies? On that question I beg leave to submit two observations. First, the right of importing produce of the United States into British West Indies from other places than the United States, is in itself of no great value. It might occasionally be convenient when the market of Cuba or of other ports in the Gulf of Mexico was glutted with American produce, to have a right to take it in American vessels to the British West India ports; but it is but rarely that these will not, from the same causes, be also glutted at the same time, and that the expense of a double voyage and freight could be incurred. Secondly, whilst contending for a nominal reciprocity, we must acknowledge that the other party must consider how far this reciprocity will be real. It is now ascertained that four-fifths of the tonnage employed in our intercourse with Great Britain herself are American, and only one fifth British. Considering the species of population, the climate, and commercial capital of the West Indies, and the distance of Great Britain, it is utterly impossible that the direct intercourse between the United States and the British West Indies should not, with equal duties and charges, be carried on in a still greater proportion in vessels of the United States. The only compensation, in that respect, to Great Britain, is to be found in the circuitous voyages which British vessels may make from that country through the United States and her West India colonies; and I feel quite confident—I think any man acquainted with the subject will be of the same opinion—that even granting them that privilege, will leave more than three-fourths of the intercourse to our vessels!!" * * * * * *

"It will not escape you that the intercourse by sea between the United States and the British West Indies and North American colonies, has already been considered as necessarily connected together by the British government, and that this connexion has been kept up in the acts of parliament, in the articles proposed to Mr. Rush, and indeed in all former proposals on their part."

In consequence, as it may be supposed, of this explanation and advice from Mr. Gallatin, our government thenceforward abandoned whatever pretensions they may have previously set up beyond the acts of parliament. In a letter from Mr. Clay, dated the 11th April, 1827, containing further instructions to Mr. Gallatin, he was informed "that the president is willing to recommend to congress, at its next session, first, to suspend the alien duties on British vessels and cargoes, and allow their entry into our ports with the same kind of British or British colonial produce as may be imported in American vessels, the vessels of both countries paying the same charges; and, secondly, to abolish the restriction in the act of 1823 to the direct intercourse between the United States and the British colonies, leaving Great Britain in the exclusive possession of the circuitous trade between Great Britain proper, through her colonies, and the United States. Mr. Gallatin will inquire whether the passage of an act of congress to that effect, would lead to the revocation of the British order in council of July, 1827, to the abolition of the discriminating duties on American vessels in the British colonial ports, and to the enjoyment by our vessels of the advantages offered by the act of the 5th July, 1825."

These propositions were communicated by Mr. Gallatin to the British government, in a note to lord Dudley, of the 17th August, 1827; in which he remarks that "this mode would repeal all former acts of the American government which had been objected to by Great Britain, fulfil the condition in the act of parliament as now understood, and remove every obstacle in the way to an arrangement; but that it would be useless for the president to make such recommendation without first ascertaining the intentions of the British government;" and he therefore enquired "whether, upon the passage of such an act as the president proposes to recommend, the British government would allow to American vessels the privileges of trade and intercourse according to the act of the 5th July, 1825?" With these communications, it will be seen that my instructions, and the overture by me submitted on the 12th December last, and now assented to by Great Britain, are entirely coincident.

I have been thus minute that the precise and uniform object of our negotiation with this government should not be mistaken; and that the president, clearly and explicitly understanding these, may feel no hesitation, when executing the law, to interpret each particular clause in conformity with the obvious scope and design of the act.

Less difficulty, if possible, than on these points, can exist in regard to the entry of British vessels and their

cargoes in the ports of the United States, from the islands, provinces, or colonies, designated in the second section of the act. According to Mr. Gallatin's despatch, "the intercourse by sea between the United States and the British West Indies and North American colonies, has already been considered as necessarily connected together by the British government, and that this connexion has been kept up in all the acts of parliament." It will not, therefore, be now separated. The general terms employed in this section are sufficiently comprehensive to embrace any description of entry; and in his instructions to the several collectors, the president may properly direct an entry similar to that specified in the first section of the bill, and in the spirit of our proposition.

Such, I presume, was the purpose of the law. I have, however, suggested to this government, in answer to the difficulty felt upon this point, the possibility that these general terms may have proceeded from an apprehension of the existing discriminating duty of one dollar per ton on American vessels in these northern colonial ports. Should such be the case, it will not escape you that this duty is prescribed by the order of the king in council in 1823, in retaliation of our law of that year; and that, by the terms of my proposition, it will be now abolished.

If the remaining words of apparent difficulty constitute a provision inconsistent with our preposition and the act of 5th July, 1825, I am obliged to confess myself incapable of comprehending either their object or meaning. I refer, of course, to the following clause: "*leaving the commercial intercourse of the United States with all other parts of the British dominions or possessions on a footing not less favorable to the United States than it now is.*"

Such a provision, or any thing resembling it, is now introduced for the first time into our legislation upon this subject. With all other parts of the British dominions, our commercial intercourse is regulated either by the convention with Great Britain, or, with the exception of the ports in the northern provinces, absolutely prohibited by acts of parliament. No legislation on either side can affect the stipulations of the convention, and any relaxation of existing prohibitions must be beneficial.

This clause, as it stands, if it be not altogether nugatory and out of place, would seem rather to apprehend some evil, not understood or explained, from advantages to be conferred on our trade by Great Britain. In any view of the subject, however, it can properly relate only to the footing on which our commercial intercourse with other ports will be left at the time of conceding such advantages. Happily, therefore, with whatever object the clause may have been introduced, the president may issue his proclamation with every assurance that the correspondent acts on the part of this government will leave "the commercial intercourse of the United States with all other parts of the British dominions on a footing not less favorable to the United States than it now is."

That you may have all the British acts of parliament relative to this subject before you, and compare without difficulty the various provisions of the act of the 5th July, 1825, for the encouragement of British shipping and navigation, and of that of the same date regulating the trade with the British possessions abroad, I have the honor herewith to forward you "*Hume's custom laws,*" containing all that may be useful in your researches.

The observations of the earl of Aberdeen relative to the scale of duties in favor of those interests incidentally fostered by the suspension of the intercourse between the United States and the West Indies, are less unfavorable than at the date of my despatch of the 6th April, I had reason to apprehend. It was on the ground of this apprehension, principally, that, in my note to lord Aberdeen of the 12th July last, I alluded so particularly to the acts of congress reducing the duty on several articles of West India produce.

Though it may be probable that the schedule of duties adopted contemporaneously with the act of parliament of the 5th July, 1825, will be hereafter modified, the effect must be more severely felt by the West India planter, already overburthened, than by our merchants; and in this there is a safe guarantee against any excessive alteration. There is good reason to believe, moreover, that such modification, whenever it shall be made, will consist in reducing the duty on some important articles, while it may increase it on others; and that our trade, in the aggregate, will not be materially affected. This modification, however, is not a part or condition of the present arrangement, and will therefore depend upon future contingencies, of which each nation will be free to take advantage; and ours, particularly, to resort to countervailing duties, if that course be deemed expedient. On this question, we will always have the West Indian interest on our side; and that, after the concessions heretofore made, is all we can expect. The arrangement now proposed will restore to our vessels the direct trade with the British colonial ports, and place the navigation of both countries in that trade upon an equal footing. We may safely rely upon the skill and enterprise of the American merchants to accomplish the rest.

I need scarcely refer to the period for which this question has embarrassed the trade of our citizens and the relations of the two countries, nor to the numerous failures which have attended the efforts of our goverment to adjust it. But it ought not to be forgotten that, in producing these failures, technical interpretations and misapprehension of legal provisions have had their full share. Sensible of this, I felt it my duty to guard, if possible, against their recurrence; and after the solicitude and perseverance with which I have conducted the negotiation, I could not shun the responsibility of attempting to reconcile the apparent obscurities of the law with the clear and frank object of our government. I am happy to believe, moreover, that, in the attempt, I am fully sustained by the soundest principles of construction. In any event, I shall feel conscious that, with the sincerest desire to conform to the instructions and sustain the character of the executive, I have faithfully contributed to succor the enterprise of my fellow-citizens, and to place the foreign relations of the country upon a foundation of lasting harmony. I have the honor to be, sir, very respectfully, your obedient servant,

LOUIS McLANE.

To the hon. Martin Van Buren, sec. state, Washington.

The earl of Aberdeen to Mr. McLane.

Foreign office, August 17, 1830.

The undersigned, his majesty's principle secretary of state for foreign affairs, has the honor to acknowledge the receipt of the note of Mr. McLane, envoy extraordinary and minister plenipotentiary from the United States of America to this court, dated the 12th ultimo, communicating certain measures which have been adopted by congress with a view to remove the obstacles which have hitherto impeded the re-establishment of the commercial intercourse between the United States and the British West India colonies.

Previously to the receipt of this communication, his majesty's government had already had under their consideration Mr. McLane's note of the 16th of March last, explanatory of the proposition contained in his letter of the 12th of Dec. 1829, with reference to the same subject; and the undersigned assures Mr. McLane that his majesty's government, in the earnest and dispassionate attention which they bestowed upon this proposition, were actuated by the most friendly feelings towards the government of the United States, and by a sincere disposition to meet the proposals which he was authorised to make in the spirit with which they were offered.

But the undersigned considers it unnecessary now to enter into any detailed discussion of the points embraced in those previous communications of Mr. McLane, because they are in a great measure superseded by the more specific, and therefore more satisfactory propositions contained in his note of the 12th ultimo; to the contents of which note, therefore, the undersigned will principally confine his present observations.

Of the character and effect of the recent measure of the American congress, Mr. McLane observes that "it concedes in its terms all the power in the regualtion of the colonial trade, and authorises the president to confer on British subjects all those privileges, as well in the

circuitous as the direct voyage, which Great Britain has at any time demanded or desired."

In this declaration the undersigned is happy to observe the same spirit and disposition which dictated Mr. Lane's former communications, wherein he announced the readiness and desire of the American government "to comply with the conditions of the act of parliament of 1825," and also that the claims advanced in justification of the omission of the United States to embrace the offers of this country, have been abandoned by those who urged them, and have received no sanction from the people of the United States;" and the undersigned readily admits, that, if the bill passed by the American legislature be well calculated practically to fulfil the expressed intentions of its framers, it must have the effect of removing all those grounds of difference between the two governments, with relation to the trade between the United States and the British colonies, which have been the subject of so much discussion, and which have constituted the main cause of the suspension of the intercourse by those restrictive acts of the United States which the American government is now prepared to repeal.

The proposition now made by Mr. McLane for the revocation of the order in council of 1826 stands upon a ground materially different from that on which the same question was brought forward in the notes of Mr. Gallatin in 1827, and even in the more explanatory overtures of Mr. McLane contained in his communications of December, 1829, and March, 1830.

Those several proposals were, all of them, invitations to the British government to pledge itself, hypothetically, to the revocation of the order in council, in the event of a repeal of those acts of the American congress which gave occasion to it. His majesty's government declined to give that prospective pledge or assurance, on the grounds stated in lord Dudley's note of the 1st October, 1827. But the objections then urged are not applicable to the present overture. Provision has now been made by an act of the American legislature for the re-establishment of the suspended intercourse upon certain terms and conditions; and that act being now before his majesty's government, it is for them to decide whether they are prepared to adopt a corresponding measure on the part of Great Britain for that object.

The undersigned is ready to admit that, in spirit and substance, the bill transmitted by Mr McLane is conformable to the view which he takes of it in the expression before quoted from his note of the 12th July; and that it is calculated, therefore, to afford to Great Britain complete satisfaction on the several points which have been heretofore in dispute between the two countries. He has also received, with much satisfaction, the explanation which Mr. McLane has afforded him verbally, in the last conference which the undersigned had the honor of holding with him, upon those passages in which the wording of the bill appears obscure, and in which it seems at least doubtful whether the practical construction of it would fully correspond with the intentions of the American government, as expressed by Mr. McLane. But it is nevertheless necessary, in order to remove all possibility of future misapprehension upon so important a subject, that he should recapitulate the points upon which those doubts have arisen, and distinctly state the sense in which the undersigned considers Mr. McLane as concurring with him in the interpretation of them.

The first point in which a question might arise is in that passage of the bill wherein it is declared, as one of the conditions on which the restrictions now imposed by the United States may be removed, "that the vessels of the United States, and their cargoes, on entering the ports of the British possessions, as aforesaid, (viz: in the West Indies on the continent of America, the Bahama islands, the Caicos, and the Bermuda or Somer islands), shall not be subject to other or higher duties of tonnage or impost, or charges of any other description, than would be imposed on British vessels, or their cargoes, arriving in the said colonial possessions *from the United States of America.*" It is not quite clear whether the concluding words, "from the United States of America," are meant to apply to the vessels of the United States, and their cargoes, in the first part of the paragraph, as well as to those of Great Britain or her colonies, in the latter part.

It can scarcely, indeed, have been intended that this stipulation should extend to American vessels coming with cargoes from any other places than the United States, because it is well known that, under the navigation laws of Great Britain, no foreign vessel could bring a cargo to any British colonial port from any other country than its own.

The next condition expressed in the act is, "that the vessels of the United States may import into the said colonial possessions from the United States, any article or articles which could be imported in a British vessel into the said possessions from the United States."

In this passage, it is not made sufficiently clear that the articles to be imported on equal terms by British or American vessels from the United States, *must be the produce of the United States.* The undersigned, however, cannot but suppose that such a limitation must have been contemplated, because the clause of the navigation act already adverted to, whereby an American vessel would be precluded from bringing any article not the produce of America to a British colonial port, is not only a subject of universal notoriety, but the same provision is distinctly made in the act of parliament of 1825, which has been so often referred to in the discussions on this subject.

It was also necessary that the undersigned should ask for some explanation of that section of the bill which has reference to the entry of vessels into the ports of the United States from the continental colonies of Great Britain in North America. These are not placed, in the terms of the act, on the same footing as the ships coming from the colonies of the West Indies.

With respect to the latter, the express provision made for the direct intercourse with those colonies, together with the simultaneous repeal of the several American acts which interdict, at present, the carriage of goods from the United States to West India ports, in ships having arrived from other ports in the British dominions, appear fully to warrant the expression, before quoted, of Mr. McLane, "that the act would confer on British vessels all those privileges, as well in the circuitous as in the direct voyage, which Great Britain has at any time demanded." But, with regard to the continental colonies, there is merely a provision for "admitting to entry, in the ports of the United States, British vessels or their cargoes from the islands, provinces, or colonies of Great Britain, on or near the North American continent, and north or east of the United States." It must indeed be presumed that vessels from these colonies are intended to be admitted upon the same terms, in all respects, and to be entitled to the same privileges, as British ships from any other British colony.

The act of congress requires, as a further condition, that, when the intercourse with the West India colonies shall be open by Great Britain, "the commercial intercourse of the United States with all other parts of the British dominions or possessions shall be left on a footing not less favorable to the United States than it now is."

Although it may be most truly stated that there exists, at this time, no intention to make any alteration in the commercial policy of Great Britain, and equally that there is no disposition on the part of his majesty's government to restrict, in any measure, the commercial relations between this country and the United States, yet the positive condition to maintain unchanged, or upon any particular footing of favor, every part of our system of trade affecting our intercourse with America, could not, with propriety, be made the subject of any specific engagement connected with the renewal of the colonial intercourse. Whether that intercourse be renewed or not, it ought to remain at all times as free as it now is, both to the government of Great Britain and to that of the United States, to adopt, from time to time, such commercial regulations as either state may deem to be expedient for its own interests, consistently with the obligations of existing treaties.

It is due to the candor with which the communications of Mr. McLane have been made on this subject, that the undersigned should be thus explicit in noticing the passage in the bill to which he has now adverted.

Mr. McLane, in his note of the 12th ultimo, has described and explained the material diminution which has

been made in the duties payable in the United States on the importation of certain articles of colonial produce. This measure has been viewed by his majesty's government with sincere satisfaction, as indicating a disposition to cultivate a commercial intercourse with his majesty's colonies upon a footing of greater freedom and reciprocal advantage than has hitherto existed. But the undersigned must frankly state, that, in the general consideration of the question now to be determined, no weight ought to be assigned to the reduction of those duties, as forming any part of the grounds on which the re-establishment of the intercourse may be acceded to. Those changes are part of the general scheme of taxation which the government of America may, at all times, impose or modify, with the same freedom as that which G. Britain may exercise in the regulation of any part of its system of duties; and it is the more essential that his majesty's government should not contract, by implication, any engagement towards that of the United States with respect to such alterations, because his majesty's government have already had under their consideration the expediency of introducing some modifications into the schedule of duties attached to the act of parliament of 1825, with a view more effectually to support the interests of the British North American colonies. To those interests, fostered, as they have incidentally been, by the suspension of the intercourse between the United States and the West Indies, his majesty's government will continue to look with an earnest desire to afford them such protection by discriminating duties as may appear to be consistent with the interests of other parts of his majesty's dominions, and with a sound policy in the commercial relations of this country with all other states.

The undersigned has thought it desirable that this point should be distinctly understood on both sides, in order that no doubt should exist of the right of Great Britain to vary those duties from time to time, according to her own views of expediency, unfettered by any obligation, expressed or implied, towards the United States or any other country.

The undersigned adverts again with satisfaction to the verbal explanations which he has received from Mr. McLane of those passages in the act of congress which have not appeared to the undersigned to be literally adapted to the provisions of the act of parliament of 1825. He concurs with Mr. McLane in thinking that these will be found to have been merely apparent deviations from the conditions of that statute, because the whole of the recent proceedings of the American government and legislature in this matter have been manifestly and expressly founded upon a determination to conform to it. Any other view of the subject would be entirely at variance with the tenor of the several communications from Mr. McLane before adverted to, which have all been conformable to the explicit proposition contained in his note of the 12th December, 1829, "that the government of the United States should now comply with the conditions of the act of parliament of July 5, 1825, by an express law, opening their ports for the admission of British vessels, and by allowing their entry with the same kind of British colonial produce as may be imported in American vessels, the vessels of both countries paying the same charges; suspending the alien duties on British vessels and cargoes, and abolishing the restrictions in the act of congress of 1823 to the direct intercourse between the United States and the British colonies; and that such a law should be immediately followed by a revocation of the British order in council of the 27th July, 1826, the abolition or suspension of all discriminating duties on American vessels in the British colonial ports, and the enjoyment, by the United States, of the advantages of the act of parliament of the 5th July, 1825." It only remains, therefore, for the undersigned to assure Mr. McLane that, if the president of the United States shall determine to give effect to the act of congress, in conformity with the construction put upon its provisions both by Mr. McLane and by the undersigned, all difficulty on the part of Great Britain, in the way of a renewal of the intercourse between the United States and the West Indies, according to the foregoing proposition made by Mr. McLane, will thereby be removed.

The undersigned has the honor to renew to Mr. McLane the assurances of his highest consideration.

ABERDEEN.

Louis McLane, esq. &c. &c. &c.

Mr. Van Buren to Mr. McLane.

Department of state, Washington, 5th Oct. 1830.

SIR: Your despatch of the 20th August was, on the 3d instant received at this department, and, with its contents, laid before the president.

You will perceive by the enclosed proclamation, and instructions from the treasury department to the collectors of customs, that the president has adopted without reserve the construction given to the act of congress of the 29th of May, 1830, by lord Aberdeen and yourself, by accepting the assurance of the British government, with the accompanying explanations, as a compliance with its requisitions, and by doing all that was necessary to carry the proposed arrangement into complete effect on the part of the United States. By virtue of the president's proclamation, and the operation of the act of congress above referred to, our restrictive acts are repealed, and the ports of the United States opened to British vessels coming from any of the British colonial possessions mentioned in both sections of the act, upon the terms stated in that act, and in the accompanying instruction. The president does not doubt that, having thus given effect to the arrangement on the part of this government, that of Great Britain will without delay do what is necessary on its side to remove all existing obstructions to the renewal of the intercourse between the United States and the British colonial possessions referred to, according to the propositions referred to, according to the proposition submitted by you and accepted by that government. He allows himself also to expect that the circumstance that the ports of the United States are forthwith open to British vessels, whilst the opening of those of Great Britain must await the action of the British government, thus producing temporarily an unequal operation, will induce his majesty's government to give to the matter its earliest attention.

The president has derived great satisfaction from the candor and liberality which have characterised the conduct of his majesty's ministers throughout the negotiation, and particularly in not suffering the inadvertencies of our legislation, attributable to the haste and confusion of the closing scenes of the session, to defeat or delay the adjustment of a question, with respect to the substance of which, and the interest of the two countries, in its adjustment, both governments are now happily of one opinion. He cherishes the most lively anticipations of the solid benefits which will flow from the trade that is about to revive, as well as of the benign influence which the satisfactory removal of a long standing and vexatious impediment to the extension of their commercial intercourse is calculated to exercise upon the relations between the two countries. It is his wish that you should make his majesty's government acquainted with these sentiments, and assure it that he will neglect no opportunity which may present itself to prove his sincere desire to strengthen and improve those relations by every act within the sphere of his authority which may contribute to confirm the good understanding so happily established.

It is also to me a pleasing duty to express to you, as I am directed to do, the entire satisfaction of the president with your conduct on this important occasion.—The untiring zeal, patriotic exertions, and great ability, which you have displayed in the difficult negotiation thus satisfactorily concluded, realise all the anticipations he had formed from the employment of your talents in this important branch of the public service, and entitle you to the thanks of your country. To these sentiments I beg leave to add the expression of my own unqualified approbation of all your acts since the commencement of your mission near the government of Great Britain. I am, with great respect, your obedient servant,

M. VAN BUREN.

Louis McLane, esq. envoy extraordinary, &c. &c.

[Here follows the proclamation of the president opening our ports to British vessels, already published in pages 110 and 111, October 9, 1830—also the circular of Mr. Ingham, containing the instructions to the

collectors, published in the Register, October 23, 1830, page 151.]

Extract of a letter from Mr. McLane to Mr. Van Buren, dated London, 6th November, 1830.

I received on the 2d instant your despatch, number 22, of the 5th October, transmitting the proclamation of the president, and instructions from the treasury department to the collector of customs, executing, on the part of our government, the proposed arrangement with this, for the restoration of the direct intercourse with the British West Indies. I communicated these documents to the earl of Aberdeen on the 3d instant, and have the honor to transmit his answer thereto, and an order of the king in council, completing the proposed arrangement on the part of Great Britain, and fully closing the negotiation upon this important part of our relations.

This arrangement has already produced, and will continue to produce, considerable dissatisfaction in the British northern provinces, and with those interests which have been incidentally fostered by the omission of our government to comply with the terms of the act of 5th July, 1825, and the British order in council of July, 1826. It may be expected, therefore, as I have already stated in my former despatches, that some attempt will be immediately made to reconcile those interests to the restoration of the direct intercourse. Some of the duties in favor of the northern productions will, doubtless, be increased, but others will be reduced. I cannot, however, at this moment, speak fully or with entire certainty of the intentions of this government in that respect.

It may be proper for me to inform you, that, by the act of parliament of the 2d of July, 1827, entitled "an act to amend the laws relating to the customs," the importation of *salted beef and pork* is admitted into Newfoundland free of duty, and into all the other British ports at a duty of twelve shillings sterling the hundred weight. Under the present arrangement, by which the colonial ports are now opened to our vessels, we shall be entitled to the benefit of this act, and in that way acquire a valuable branch of trade, which we could not have enjoyed by the famous act of 5th July, 1825.

Mr. McLane to lord Aberdeen.

9, *Chandos street, Portland place, Nov.* 3, 1830.

The undersigned, envoy extraordinary and minister plenipotentiary from the United States, has the honor to transmit herewith to the earl of Aberdeen, his majesty's principal secretary of state for foreign affairs, a proclamation issued by the president of the United States on the 5th of October last, and, also, a letter of instructions from the secretary of the treasury, in conformity thereto, to the several collectors of the United States, removing the restrictions on the trade in British vessels with the ports of the United States and the colonial possessions of Great Britain. And the undersigned takes leave to add, that, although these papers appear to be sufficiently clear and explicit, he will take much pleasure in making any further explanation of their import that may be considered desirable.

It will be perceived, however, that, by virtue of the foregoing proclamation, and the operation of the act of congress of the 29th May, 1830, the restrictive acts of the United States are absolutely repealed; that the ports of the United States are open to the admission and entry of British vessels coming from any of the British ports mentioned in both sections of the said act: with the same kind of British colonial produce as may be imported in American vessels, and upon the same terms; that the alien duties, in the ports of the United States, on British vessels and their cargoes, and also the restrictions in the act of the congress of the United States of 1823 to the direct intercourse between the United States and the British West India colonies, are abolished.

The undersigned has the honor to state further, that these acts have been performed by the president in conformity with the letter of the earl of Aberdeen of the 17th of August last; and that by accepting the assurance of the British government, with the accompanying explanation, as a compliance with the requisitions of the act of congress of the 29th May, 1830, and doing all that was necessary on the part of the United States to effect the proposed arrangement, he has adopted, without reserve, the construction put upon the act of congress both by the earl of Aberdeen and the undersigned.

In communicating these documents to the earl of Aberdeen, the undersigned is instructed to inform him that the president has derived great satisfaction from the candor manifested by his majesty's ministers in the course of the negotiation; and that, having thus given effect to the arrangement on the part of the United States, he does not doubt that Great Britain, acting in the spirit and terms of the proposition submitted by the undersigned, and accepted in the letter of lord Aberdeen of the 17th of August last, will as promptly comply with those terms on her part, and remove the existing obstructions to the renewal of the intercourse between the ports of the United States and the British colonial possessions.

In conclusion, the undersigned takes leave to state, that, from the date of the proclamation of the president, the vessels of Great Britain have been and are actually in the enjoyment of all the advantages of the proposed arrangement, while the vessels of the United States are and must remain excluded from the same until the requisite measures shall be adopted by this government. The undersigned has the honor to ask, therefore, that the earl of Aberdeen will enable him to communicate the adoption of those measures to his government, by the opportunity which will offer for that purpose on the 6th instant.

The undersigned avails himself of this occasion to renew to the earl of Aberdeen the assurance of his highest consideration. LOUIS McLANE.

The rt. hon. the earl of Aberdeen, &c. &c. &c.

Lord Aberdeen to Mr. McLane.

Foreign office, Nov. 5, 1830.

The undersigned, his majesty's principal secretary of state for foreign affairs, has the honor to acknowledge the receipt of the note of Mr. McLane, envoy extraordinary and minister plenipotentiary from the United States at this court, of the 3d instant, in which he encloses a proclamation issued by the president of the United States on the 5th ultimo, and also a letter of instructions from the secretary of the treasury, in conformity thereto, to the several collectors of the United States, removing the restrictions on the trade in British vessels with the ports of the United States and the colonial possessions of Great Britain.

Mr. McLane observes, that, by virtue of the proclamation in question, and the operation of the act of congress of the 29th May, 1830, the restrictive acts of the United States are absolutely repealed; that the ports of the United States are opened to the admission and entry of British vessels coming from any of the British ports mentioned in both sections of the said act, with the same kind of British colonial produce as may be imported in American vessels, and upon the same terms; that the alien duties in the ports of the United States on British vessels and their cargoes, and also the restrictions in the act of congress of the United States of 1823, to the direct intercourse between the United States and the British West India colonies, are abolished.

Mr. McLane adds, that, in performing these acts, the president of the United States has adopted, without reserve, the construction put upon the act of congress of the 29th of May, 1830, by himself, and by the undersigned in his note of the 17th of August last.

The undersigned having stated to Mr. McLane, in his above mentioned note, that, under such circumstances, all difficulty on the part of Great Britain, in the way of the renewal of the intercourse between the United States and the West Indies, according to the proposition made by Mr. McLane, would be removed, he has now the honor to transmit to Mr. McLane the accompanying copy of an order issued by his majesty in council this day, for regulating the commercial intercourse between the United States, and his majesty's possessions abroad.

The undersigned cannot omit this opportunity of expressing to Mr. McLane the satisfaction of his majesty's government at the promptitude and frankness with which the president of the United States has concurred in the view taken by them of this question; and at the consequent extension of that commercial intercourse which it is so much the interest of both countries to maintain, and which his majesty will always be found

sincerely desirous to promote by all the means in his power.

The undersigned avails himself of this occasion to renew to Mr. McLane the assurances of his highest consideration. ABERDEEN.

Louis McLane, esq., &c. &c. &c.

[Then follows the proclamation and tariff of duties of the British government, dated London, Nov. 5, 1830, published in the register, page 350, January 8, 1831.]

Erratum. In the table of duties published in the supplement to the register on the 8th instant, page 350, regulating the duties on goods imported into the British colonies, the "proposed duties" on red and white oak staves, was put down at 18 shillings per thousand—it should read "18s. 9d."

Extract of a letter from Mr. McLane to Mr. Van Buren, dated London, November 22, 1830.

I forwarded you, by my last despatch, the copy of a schedule of duties proposed by Mr. Herries, the late president of the board of trade, in relation to their colonial trade. At that time I had reason to believe that this measure, recommended under the auspices and by the influence of the ministry, would probably pass with little material alteration. The recent occurrences, however, have changed these expectations; and I am now inclined to believe, that, if it pass at all, it will previously undergo some very material modifications, more favorable to our interests in the colonial trade.

TARIFF AND MANUFACTURES.

In the house of representatives, Jan. 13, 1831.—Read, and laid on the table.

Mr. Mallary, from the committee on manufactures, to which the subject had been referred, made the following

REPORT:

The committee on manufactures, to whom was referred so much of the president's message "as relates to the tariff of duties on imports, and so much thereof as respects manufactures," report:

That they have taken this delicate subject into full consideration. This was due alike to the source from whence a review was recommended, and to the importance of the subject itself. They feel confident that they have done it without mingling with the operation of their reasoning powers unreasonable "likes and dislikes," either to the system of protecting domestic industry, or to the views expressed by the chief magistrate.

It is not the intention of the committee to present to the house a mass of statistics or labored arguments, in favor of the protecting system. In the recent discussions of the tariff, all that could illustrate theory, or be proved by experience in our own and other countries, have been presented. Our goverment has adopted, and endeavored to sustain, by repeated legislative enactments, a policy which has had the sanction of Washington, Jefferson, Madison, and Monroe. It has been sanctioned by "the continued acquiescence of the states, and the general understanding of the people." Confidence in its permanent duration is warmly inspired. It is this, alone, which can give it vigorous and successful action. A system of protection may appear perfect on our statute books, and yet be useless to the country, if exposed to perpetual danger. Skill, already matured, will not venture upon uncertainty. The power of invention will never be exerted, if it has no confidence in the promise and repeated promise of support. Capital will never come to the aid of skill and enterprise, if it has no security for investment. It must have confidence; it must find solid honesty in individuals, as well as firmness in government, or it will not be employed.

During the last session of congress, the declaration was often repeated, that the system of protection should and would be maintained. It was presumed to have come from the people, and dictated by them to their representatives. This was expressed by the most decisive majorities in congress, on repeated occasions.

Its effects, so far as they have been developed, have answered the hopes of its most ardent friends. Capital flows widely and freely through our extended country. The genius of our people has been stimulated to greater and more diversified exertion. The useful arts are improving in every form that stern necessity or elegant taste may desire.

The committee most cheerfully concur with the president in the animated view which he has taken of the condition of our country. They adopt his language in describing that condition. "With a population unparalleled in its increase, and possessing a character which combines the hardihood of enterprise with the considerateness of wisdom, we see in every section of our happy country a steady improvement in the means of social intercourse, and correspondent effects upon the genius and laws of our extended republic." This is the language of truth and justice. It forms a subject of high and deep congratulation to every patriot mind. While other nations are suffering under oppressive burthens, or convulsed with bloody revolutions, we witness among ourselves, in general, a calm and confident repose. We see, over all portions of our broad country, prosperity and happiness most evenly and equally diffused.

Such is the prospect before us. It is the offspring of our fortunate government, and the wise policy which has been adopted, of cultivating our own resources by the skill, and industry, and enterprise of our own people. In considering that imperfection must be stamped on the highest and best of human institutions, it is a matter of surprise that "the apparent exceptions to the harmony of the prospect" are so few. They seem to arise rather from the exercise of fervid imagination, than from evils which really exist. It cannot, however, be expected that any code of laws, or any form of government, can dispense *precisely* the same benefits to every individual under their influence, wherever he may reside, and whatever may be his genius or pursuits. Nature, herself, has failed to do this. But, when we see a great nation moving on with stately steps, unimpeded, to the height of happiness, opulence, and grandeur—when every portion, however minute, partakes amply of general prosperity—it would seem that the "apparent exceptions to the harmony of the prospect" might be permitted to melt down in warm felicitations that the "prospect" of the whole country is so nobly gratifying. It is to this wide and comprehensive prospect that we may safely look for substantial reasons to preserve that union, which, it is "most devoutly hoped, may prove imperishable."

The committee are much gratified to have the opinion of the president clearly and fully expressed, that the tariff for protecting domestic industry is constitutional. They think it proper to quote language so clear and unequivocal. He says, that "the power to impose duties on imports originally belonged to the several states. The right to adjust those duties with a view to the encouragement of domestic branches of industry, is so completely incidental to that power, that it is difficult to suppose the existence of one without the other. The states have delegated their whole authority over imposts to the general government, without limitation or restriction, saving the very inconsiderable reservation relating to their inspection laws. This authority having thus entirely passed from the states, the right to exercise it for the purpose of protection does not exist in them; and, consequently, if it be not possessed by the general government, it must be extinct.

"Our political system would thus present the anomaly of a people stripped of the right to foster their own industry, and to counteract the most selfish and destructive policy which might be adopted by foreign nations. This surely cannot be the case; this indispensable power, thus surrendered by the states, must be within the scope of the authority on the subject expressly delegated to congress." The committee would recommend this argument to the candid consideration of the house. Most especially would they invite to its calm consideration those of our fellow citizens who honestly believe that a protecting tariff violates the constitution. If there are any who have become regardless of the rights, interests, and welfare of the great majority of the nation; who are determined that all shall yield to their opinions, who insist that they are infallibly right, and every one else is absolutely wrong; on such, reason and argument can have no influence. Still the cause which enables our chief magistrate to give us such a glowing view of the prosperity of our country as he has done, must and will continue. The states, in their sovereign capacity, as ex-

pressed in the message, and cannot be denied, had the original power of imposing duties on imports. It is now transferred to the government of the union, in the most ample manner. Had the states retained it, they might have exercised it as they pleased, to accomplish any object they deemed proper. It might have been for revenue alone. It might have been employed *solely* to counteract the selfish policy of other states or nations. It could have been exercised for any purpose which suited the pleasure of sovereign power. But the states have delegated their whole power over imposts to the United States. It would indeed be a strange anomaly, if it could not now be exercised by the government to which it has been transferred, as fully as it could have been by the states from which it was derived.

The president has declared that, "while the *chief object* of duties should be *revenue*, they *may* be so adjusted as to encourage manufactures." It seems to the committee that this remark is in plain collision with the sentiments which he has previously maintained. He has observed that the authority to impose duties on imports having passed from the states, "the right to exercise it for the purpose of *protection* does not exist in *them*." If it is "not possessed by the general government," it must be extinct. Our political system would *thus* present an "anomaly of a people stripped of the right to foster their own industry, and to counteract the most selfish and destructive policy which might be adopted by foreign nations. If *revenue* alone is wanted, duties for *that* object should be imposed. If *protection* to domestic industry is required, let duties be imposed to "*foster it.*" Why should the *chief* object be revenue? Why protection *secondary*, when the treasury may be full? Many now apprehend that our revenue is, and will be, too abundant. But protection against the "most selfish and destructive policy of foreign nations" can be secured by duties on imports—by them alone. Then they should be adjusted to secure protection. This should be the *primary* object. The protecting power having once belonged to the states, and now transferred to the general government, it may be used, as the good of the nation demands, for a *primary*, not a *secondary* object. It ought not to be loosely attached to the skirts of revenue. Domestic industry is a single, great, even pre-eminent interest of the nation. It has been entrusted to the guardian care of the constitution. It now demands the exercise of that power which the states have surrendered, for its promotion and preservation.

The president, in his message, further observes, that, in the adjustment of protecting duties, the government should "be guided by the general good." As an abstract proposition, this may be admitted. "The general interest is the interest of each;" and it is only necessary "that that interest should be understood" to insure the cordial support of some who think "it encourages abuses which ought to be corrected, and promotes injustice which ought to be obviated." He also advises congress that "objects of national importance ought alone to be protected. Of these the productions of our soil, our mines, and our workshops, essential to national defence, occupy the first rank. Whatever other species of domestic industry, having the *importance* to which I have referred, may be expected, after *temporary* protection, to compete with foreign labor on equal terms merit the *same attention in a subordinate* degree." Suppose the opinion to be correct, "that objects of *national* importance ought alone to be protected;" what then? The president has not, by this general expression, afforded the least aid in adjusting the *details* of a protecting tariff. If the action of government could be confined to abstract rules and principles, little difference of opinion would probably exist in the nation. The great embarrassment is found in making an application of excellent theory to practical and useful purpose. The protecting system, the tariff, is composed of humble items; these, united, make up the great mass of national industry. Had the president been pleased to designate a few items only, which he supposed to possess "national importance," or had he pointed out what "comforts of life are taxed unnecessarily high;" what are the "interests too local and minute to justify a general exaction," which it undertakes to protect, and what kinds of manufactures, "for which the country is not ripe, it attempts to force," we should then have the light and benefit of illustration.

General theory may be adopted with perfect unanimity. Its application to real use, its coming down to the every day exertion of our farmers and mechanics, is a different affair. Under general theory, any one can make a retreat, and maintain that it has been done with consistency and honor. Theory is best explained by its application to the axe, the plough, the hammer, and the spindle. The chief magistrate presides over a people who are engaged in unceasing and untiring industry. Congress has for years, and on repeated occasions, exercised its wisdom on the tariff. Its best efforts have been made. If errors exist, it would seem reasonable to expect that the chief magistrate, looking abroad from his high station over all interests of the country, and observing their mutual relations and dependencies, should intimate to the representatives of the people what particular business of life has been too warmly cherished, what too coldly neglected. In adjusting the details of the tariff, congress has done what it deemed best for the general good. To reach the employments of life, it must go down to particulars. If the president is still dissatisfied, it might have been hoped that he would have designated the precise error. It will always be borne in mind by practical men, and they compose the mass of the nation, that abstract theory, however splendid, does but little good, unless it comes to the aid of every muscle of labor. In what consists the defects of the existing tariff? Individuals may discover imperfections, but the collected wisdom of the nation has repeatedly declared that material change is not demanded. Nothing better, under existing circumstances, can be done. Then let doubt and uncertainty be avoided. They are evils next to the surrender of the whole system.

The message advises congress that "objects of national importance alone ought to be protected: of these, the productions of our soil, our mines, and our workshops, *essential to national defence*, occupy the first rank." It is to be presumed that congress has not been unmindful of productions "essential to national defence." But the president says "the present tariff taxes some of the comforts of life unnecessarily high." They are not defined. In the minds of many, what might be essential to national defence might also promote the comforts of life. If the message meant only guns, powder, and bullets, difference of opinion, even then, might exist, as to the extent of protection which ought to be afforded to the various elements of which they are composed. Its practical meaning is, therefore, obscure. Iron, it is presumed, would be considered essential to "national defence;" and, being the product of "our mines," should be protected. But that production which would produce the material for a musket, would also furnish it for axes and ploughs. A duty that would give us domestic bullets is all that might be required to supply the country with domestic lead for every use. But are muskets, and powder, and bullets, *all* that may be essential to "national defence?" An army might be most abundantly provided with these, and yet be totally inefficient in the field, if it wanted hats, and coats, and shirts, and shoes, and blankets. The condition of our country during the last war furnishes a well defined illustration of this sentiment. Various manufactures *then* were considered of national importance, which the doctrines of free trade *now* erase from the catalogue.—But a duty imposed for promoting the domestic manufacture of these articles for *military* purposes alone, would be an anomaly in the annals of any nation. That protecting policy which would supply the wants of an army in war, must be allowed to operate in peace.—Hence the difficulty of any classification of interests, while all are distinctly and equally governed by the same great constitutional power, derived from the states. It is also to be remembered, that peace with the world is the natural condition of this country. It is not the foreign bayonet that we have the most reason to apprehend: it is the "selfish and destructive policy which might be adopted by foreign nations." To guard against this is an object of "national importance." For peace or war, the protecting system is equally adapted. And it is believed by the committee, that the best preparation for national defence may be found in the vigo-

rous cultivation of the arts of peace. Our people ought not to be perpetually dependent on orders in council, or decrees of emperors. Our country ought not to wait until invasion surrounds it, and then beg blankets from invaders, to warm a shivering army, engaged in "national defence."

The president alludes to another species of industry, having the importance to which he had before referred, and which may be expected, after "temporary protection, to compete with foreign labor on equal terms."—This species of industry, in his opinion, merits "the *same* attention in a *subordinate* degree;" while, in speaking of objects "essential to national defence," he prescribes no limitation, either as to the extent of protection, or its duration. The other class he considers entitled to the "same attention," yet qualified by the expression, "in a *subordinate degree.*" This qualification seems to render it difficult, if not impossible, to ascertain the extent of the rule which he has adopted for his own action, and the guidance of congress. Instead of opening a luminous pathway, in which all branches of the government may move on in union and safety, new embarrassments appear to be added to those already encountered by congress in adjusting the detailed provisions of the tariff.

It would seem to be the meaning of the president, that, after a temporary protection has been extended to a manufacture for a reasonable period, if it "cannot then compete with foreign labor on equal terms," it does not merit protection. This doctrine has been repeatedly advanced in congress, and the committee presume it to be the doctrine of the message. But it will not stand the test of experiment. Prior to the late war, the coarse muslins consumed in the United States were imported from India, and cost the consumer about *twenty-five cents* the yard. By the war, the supply was cut off; our cotton mills began to move, and a partial supply was furnished. At its close, when the India cottons were again imported, most of these establishments were ruined. By the tariff of 1816, establishing what was called the minimum duty on coarse cottons, the home market was effectually secured to our home manufacturers.—Under its fostering influence, they have flourished and multiplied; and such have been our improvements in skill and labor, and machinery, that the consumer, instead of paying *twenty-five* cents, now purchases at home a much better article for *eight* cents the yard.—Large exportations of them are made to foreign countries. They are carried to India, China, and South America, where they are sold to advantage. But suppose the protecting duty withdrawn, and the American manufacturer left to "compete with foreign labor on equal terms." Admit the cottons of India, England, and Scotland, and what would be the effect? Within two years, not a single cotton mill in the United States would be in motion. The immense capital invested in them, amounting to many millions, would be utterly sunk to the country, and their owners irretrievably ruined. And why? Not because we cannot make the goods as cheap as in Manchester or Glasgow, but because a war would be waged by British capital against American capital—a war of *extermination.* Such a war has been waged upon every article of American industry, wherever the protecting duty has been inadequate, or the law extending the duty so framed that mercantile cupidity, and the cunning of foreign manufacturers, could evade it.

There is another rule laid down by the president, which the committee have thought proper to examine. It is contained in the expression, that "objects of *national* importance *alone* ought to be protected." The committee will not here enter into a discussion of the question, whether congress may not protect objects *local* in character? The states, in their original independence, before the adoption of the constitution, could have used the power of imposing duties on imports for the express purpose of protecting *local objects.* According to the doctrine entertained by the president, in which the committee fully concur, the several states no longer possess that power. Where is it? Where has it fled? On what shelf is it laid? The government of the union possesses it, or it has become "extinct." If an object did present itself, purely local in its character, and its protection was demanded by the prosperity and happiness of a single state, and this could be *best* done, or done only, by the delegated power from the states to impose duties on imports, it should be well considered before congress rejected a proposition for that purpose. The discussion of this subject, at this time, is not intended. It may, however, be intimated, that it is the duty of the general government to protect every state, county, and town in the union from invasion.—The government of the union is bound to protect every inch of our soil from a hostile bayonet. It has equal *power* to protect every finger of domestic industry against foreign competition. Let it be firmly exercised. It matters but little to real national independence, whether foreign guns or foreign labor conquers us.—However this may be considered, it is fully believed by the committee that the present tariff, taken together or in the minutest detail, is national in its character, although the language of the president may seem to imply that in this respect it is defective. He has also told us in his message, that "it is an infirmity of our nature to mingle our interests and prejudices with the operation of our reasoning powers, and attribute to the objects of our likes and dislikes qualities they do not possess, and effects they cannot produce;" that our deliberations on this interesting subject should be unmfluenced by "partisan conflicts," and should not be made subservient "to the short sighted views of faction." The committee have a due regard, both to the admonition and the sentiments expressed by the president; and they, also, entertain a most ardent hope that our fellow-citizens will keep a steady searching eye on every movement of political ambition, in whatever quarter of our country it may appear. It may speak well and pleasantly to the public ear in favor of a national protecting system, and yet, with a calm, fair, honest looking countenance, scatter such mysterious, yet captivating doubts, as to the value of its different provisions, that "small minorities" may be taught how to form a "combination" to overthrow it.

What gives national importance to an object or production of domestic industry? How is its national importance discovered? Whence derived? By what principle decided? Is it the *place* of production in the United States that imparts to it the character of "*national importance?*" Must production be found in every narrow subdivision of the country? Must it, of necessity, be "*general, not local?*" Should the answer be in the affirmative, the concentrated wisdom of the nation could never provide a protecting tariff. Our various soils, our different climates, our diversified objects of industry, would present an impassable barrier against the adoption of any system of protection. The farmer who grows wheat asks the aid of government to protect that article. He knows that Poland, Russia, the Barbary states, and France, may furnish, at times, wheat cheaper on the seaboard than he can afford it. When he asks protection, an objection is made. Some portions of the union do not produce wheat. Its production is not general. It must be rejected.

Butter and cheese are presented for protection. Our farmers can produce them in abundance. The Irish tenant, who subsists on the humblest fare that unfeeling oppression deals out, may furnish them *cheaper* than the cultivators of *our* soil. Yet, it is discovered that *portions* of our extended country are unable to produce butter and cheese. They cannot be protected. They are "*local, and not general.*"

Iron is mentioned. It is indispensable in peace and war. It may, perhaps, be for a time furnished by boors and serfs, laboring under the command of Russian and Swedish nobility, a little cheaper than the Pennsylvania and New Jersey forgemen can produce it, and live as independent citizens ought to live in a free country. But iron is a "*local* object, not *general.*" It must be rejected.

Hemp is named—an article so valuable to the independence of all branches of the navigation of our country. The strong arm of protection holds foreign navigation away from our domestic trade. It should unfurl American canvass with delight. It should also be well kept in mind, that the great body of American consumers of foreign productions sustain navigation engaged

in *foreign* commerce. The splendid ship that carries and brings is still subordinate to the interests of those who buy, and use, and pay for the cargo. The merchants on our seaboard may heap up wealth, build palaces, command all the luxuries of life; but they must well keep in mind that they all owe their prosperity to the strong arm of labor. They owe it to the daily toil of our yeomanry, whether engaged in subduing the summits of the Green mountains, or cultivating the glens of the Alleghany. Let, then, the hemp of Ohio, Kentucky, and Tennessee, be protected. Let the people of those states have a share in the advantages of the policy which they are willing to defend. If it has *so happened* that navigation engaged in our *foreign trade* is suffering from foreign competition, it is owing to itself. All which it asked for protection was freely given. When it had gained such an ascendancy as it supposed would enable it to challenge foreign competition, it triumphantly told the government that protection was no longer wanted. Hence, treaty after treaty has been concluded for reciprocal navigation. This was urged by the advocates of free trade. If, now, it is a little crippled if other nations supply us with a little more navigation, it is a greater evil than if foreigners supplied us with a little more iron, or hemp, or sugar, or cottons, or woollens? Must the great system of protection be abandoned because navigation has been indulged in its wish, and has been *somewhat* disappointed? The advocates of free trade ought rather to rejoice that one interest is free from the fetters of protection. If foreign nations can build ships cheaper than the people of the United States, why not cheerfully employ them? According to the doctrines of free trade, so much would be gained. But yet, if navigation wants assistance, there is every reason to believe that the power which protected its infancy, if desired, will come cheerfully again to its support, in every way and by all means consistent with other great interests of the country. But hemp is "*local*, not a *general*" production; and must, therefore, be rejected.

Sugar is proposed. It is an article of necessity, comfort, and luxury. It cannot be produced in Maine or Pennsylvania. Its production must be confined to the warm regions of our country, where the great staples of other parts are uncongenial. But it must be rejected according to the rule. Its production is *local*, not *general*.

The same may be said of cotton and wool—of every article named in the tariff. The greatest and most valuable productions of domestic industry are more or less local in their origin—not general. Hence, if the rule is, that every portion of the country must alike contribute to the production of an article which the constitution will allow to be protected, there never can be a protecting tariff at all: human wisdom could not devise one which would confer the least benefit on the country.

The rule that any particular object of domestic industry must possess "*national importance*" to entitle it to protection, may be safely adopted, if properly understood and applied. A broad view must be taken of the condition of our country, of its productions, of its various business, of its perpetually blending and mingling interests. We must see the mutual relations which exist between the narrowest sections of our country, and ascertain how widely and generally the various productions of domestic industry are distributed among the people. We should ascertain, for the practical purpose of legislation, what articles of domestic production, *great* or *small*, may be required for general use; what articles the people want; what their comfort and convenience demand; what articles are gathered up and distributed by the trade, business, and commerce of the country.

The name of the articles may be humble: it may be broadcloths, wood screws, thimbles, bar iron, steam engines, or the fabrics of cotton. But, whatever its name, the right to protection must be considered with reference to the greatest principles before mentioned. By these principles, it is believed, the present tariff can be fully sustained.

The president has advised congress that the tariff is considered by almost all as defective in many of its parts. Suppose this correct: it is proper to inquire whether greater perfection can be obtained? If so, how? The president has left congress unadvised. The representatives of the people have recently, after their maturest consideration, come to their best result. The details may be imperfect. As a system, it "works well." Those whose interests are involved are generally satisfied. It is a subject of so much delicacy, that "it should be touched with the utmost caution." The committee must be fully convinced that improvement can be made, or they cannot, with a proper respect to the "extended interests it involves," hazard an effort.

Such is the "infirmity of our nature," that the enemies of the protecting system would rejoice to have the benefit of little "likes and dislikes" to aid them in their attack.

The president also expresses his opinion, that "the effects of the present tariff are doubtless overrated, both in its evils and advantages." The committee are confident that its *evils* are most unreasonably overrated. Its advantages are so manifest, that they have been, in the estimation of many, too greatly undervalued.

The president advises us, that the decreased price of raw material, manufactured articles, provisions and lands, arises from a cause "deeper and more pervading than the tariff of the United States." He supposes "it may, in a measure, be attributable to the *increased value* of the precious metals." The committee are unable to say how far this remark may apply to *other* countries. As applied to this country, it is clearly erroneous. Appreciation in any commodity, gold, silver, corn, or lumber, depends, in a great degree, on abundance or scarcity. If currency, whether composed of silver, gold, or bank notes, is plenty, the nominal price of all articles required for general consumption *will arise*, because the owners of currency must use it for profit. The greater the plenty, the more it will be used. In such case, less profit will satisfy. This cause enhances the price of every thing that currency purchases; for it must and will be employed. "The precious metals are the base of our national currency. Our commercial emporiums are filled with them. Exchange on foreign nations was never lower; and if it *seems* to be against us, it is only because we have, *by law*, established a relative value between silver and gold which the rest of the world will not adopt. It cannot, therefore, be supposed that "the *reduced* price" of domestic productions is caused by "the increased value" of the precious metals. It is to be attributed to domestic competition, and to an addition to the great supply of the world; and that the advance in the price of cotton, and the steady support of other agricultural products," is owing to the diversified employments encouraged by the protecting system. Had the precious metals "increased in value," the benefits of the tariff would have been far more *perspicuous*. Prices would have been lower still. The *tendency* of such opinions of the president, as to the cause of the low prices of domestic manufactures, is to excite prejudice against the protecting system, to render it, in the estimation of our fellow-citizens, an object of little importance. The error of such opinions, the committee considered it their duty to expose.

The president has informed us that "the best as well as fairest mode of determining whether, from any just considerations, a particular interest ought to receive protection, would be to submit the question singly for deliberation. If after due examination of its merits, unconnected with extraneous considerations, *such as a desire* to sustain *a general system*, or *to purchase support for a different interest*, it should enlist in its favor a majority of the representatives of the people, there can be but little danger of wrong or injury in adjusting the tariff with reference to its protective effect." The committee pass over the caution against "extraneous considerations;" that will be duly appreciated by the representatives of the people. The suggestions of the president, which relate to the *manner* in which a protecting tariff should be formed, the committee believe, cannot be adopted. If such views had prevailed since the adoption of the constitution, no tariff for the protection of domestic industry would have existed. If they now prevail in all branches of the government, the tariff has no escape from total destruction.

The framers of our constitution were equally distinguished for profound intelligence and the purest patriotism. In their great design to provide a government for

this republic which should promote and secure the various interests of every portion, did they adopt a *single* provision but with open and avowed desire to make a general system? Did not every state present in bold relief its separate claims and interests? Was not each separate and distinct claim and interest presented by the different members of the convention, and well considered by the whole? It was by uniting interests, great and small, scattered far and wide, that our system of government was adopted. Had "a particular interest" been submitted "singly" from some portion of the country, and that *alone* must have been regarded, the convention would have dissolved without giving it a glance of notice But the members of that august assembly did make mutual concessions and compromises in order to establish a general system.

The president has advised congress that the power of protecting domestic industry by the aid of duties on imports belongs to the general government. This, all know, is secured by a constitution, founded on liberal concession and compromise. The committee believe that the protecting power may be exercised, without exposure to impeachment for motives, on the same principles as governed the convention which framed and recommended our constitution, and the people who ratified it. The application of this protecting power must be made by the representatives of the people. There is no other way by which it can be exercised. Then, how can this be done? How can it be brought down home to business and bosom? If a blacksmith asks the government of the union to protect the manufacture of an axe, must his question be submitted "singly" for deliberation? Must a separate bill be introduced, and a vote of congress taken? Shall abstract theory place the seal of silence on the lips of the blacksmith, and forbid him to say that he wishes the forge, the loom, the sugar plantation, also, to be protected? The consequences are too plain for extensive commentary. The great interests of the nation will hold generous communion among themselves. They will make common cause. They will make mutual concessions, compromises, and even sacrifices, to promote the general welfare in imitation of the example set by the great founders of our government. Different interests have a right to consult each other. They will do so. They have always done so. They must and will act in concert, if they expect to exist. Mutual aid may be required by the civil interests of the country, as much as mutual assistance was once required from the different states at New Orleans or Plattsburg. Statesmen who understand human nature must admit it. It is sanctioned by the purest examples of our country—of all countries. In the adjustment of the existing tariff, it might be presumed by another branch of the government that congress did its duty; that it did not improperly obtain support for different interests. It must still be kept in mind, that, if the infirmity of our nature rendered it defective in its origin, an attempt at revision might add to its imperfections. American manufactures have had a long and arduous conflict with the popular, yet delusive doctrine, that additional duties for their protection are taxes on the consumer; and that every man who wears a coat pays the duty imposed into the pockets of the manufacturer. The committee will not go into any train of reasoning to show its fallacy. They will merely advert to a few facts: and they congratulate the friends of the American system, that the memory of every man in the nation can furnish abundant evidence, that, in all cases where the material is found at home, and the protecting duty has been adequate, the domestic article becomes cheaper in price, and improved in quality. Cotton goods furnish a striking example of this truth, and every man who wears a cotton shirt knows it. The article of nails furnishes another proof, as is well known to every man who builds a house. The committee might enumerate hundreds of articles, such as hats, caps, shoes, boots, and cheese, to sustain them; but they know it would be superfluous. The tax is not paid, because the articles are not imported. The duty secures the market to the home manufacture, and domestic competition among the manufacturers reduces the cost to the lowest possible price, while, at the same time, it improves the quality. This is the plain truth of the matter, and is now so well understood by the great mass of the nation, that the American system will not be surrendered nor abandoned, so long as the people elect their own rulers. It has taken deep root in our soil: the tree is flourishing—its branches have extended far and wide; and the people will frown indignantly upon every effort to wither its leaf, or to blast its fruit.

The president having, in the proper exercise of his duty, submitted to congress his views of the tariff, and these having been referred to the committee on manufactures, it became the committee to give them a candid and respectful consideration. This they have endeavored to do. Being representatives of the people, they have no apology to make for the freedom with which the opinions of the chief magistrate on this interesting and delicate subject have been examined.

In framing the tariff, they believe that the acknowledged principles of the constitution have been applied as faithfully as "Washington, and Jefferson, and Madison, and Monroe," could have desired; that the present tariff, although it may be defective in parts, is adjusted on principles which those great statesmen approved. Had *they* been employed to consider its details, and adapt them to the present condition of our country and the world, and their united wisdom had been exerted, every one might have discovered "imperfection in many of its parts;" yet as a system, all of them would most cheerfully have given it their powerful and hearty support. They understood the "infirmity of our nature" too well to designate a *single* interest, and trust it to *single* consideration. They would have made all interests that required protection come forth together, stand side by side and then provide a system by which all could be mutually sustained.

The committee are satisfied that the provisions of the existing tariff are national in their character: that no interest which it has undertaken to protect is "too minute;" that it contains no evidence of attempts "to force manufactuers for which the country is not ripe," of sufficient importance to require revision; that "no comforts of life are taxed unnecessarily high," with a proper regard to revenue and protection; that the "low prices of manufactured articles" have not been caused by the "increased value of the precious metals;" for the precious metals were never before so abundant and cheap in the United States; but that the low prices of manufactured articles are caused, in a great degree, by the existing tariff, which had made the labor, skill and enterprise of our people add a vast supply for consumption to the stores of the world.

The committee fully believe that the present general prosperity of our country is mainly to be attributed to the protecting system; and if our fellow citizens can retain full faith and confidence that our government will firmly execute its repeated and solemn promises; that it will maintain the high assurance of support, which our people have a right to demand from its dignity and honor, their prosperity will be daily and more rapidly promoted, and the resources of our country more and more amply developed.

The committee repeat that they cannot concur in the opinion of the president, that, in framing a protecting tariff, each interest should be submitted "singly for deliberation," without any reference to a general system. By such a rule, it is believed, that no protecting system could ever have been adopted; and by its influence, it is strongly apprehended, none can stand. The fears of the committee are the more explicitly declared, because enemies of the system have, in a manner that cannot be misunderstood, exposed their plan of operations. It is to present each interest "singly" for deliberation, and conquer the whole system in detail.

The committee have thus presented to the house their undisguised and undissembled opinions on the subject referred, "with the freedom and candor" which they considered "the occasion for their expression" required. They believe that, the tariff having been so recently revised, any attempt to change its provisions at this time would spread alarm among the great interests of our country, shake confidence in the plighted faith of government, destroy the supposed well founded hopes of millions of our fellow-citizens, reduce them to penury, and expose the whole country to the dangers of a "most selfish policy, which might be adopted by foreign nations.

NILES' WEEKLY REGISTER.

FOURTH SERIES. No. 24—VOL. III.] BALTIMORE, FEB. 5, 1831. [VOL. XXXIX. WHOLE NO. 1012

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT $5 PER ANNUM, PAYABLE IN ADVANCE.

☞ We know that the patience of some of our readers is pretty nearly exhausted, because of the many and long *public documents* that we have felt compelled to publish—but, to present and preserve such things was the primary object of the REGISTER; and they will be much referred to in conversations and discussions during the ensuing summer and autumn; for the present year will be one of great political exertion, and extraordinary excitement.

There yet remains on hand many papers of much interest, and of various character, that we *must* get-in.—To afford a little relief, we expect to publish a supplement next week.

The proceedings in congress are important, in many respects—and will probably continue so, until the rising of that body. Much business is yet to be done, and less than four weeks allowed to do it in. The just claims of private individuals will be *cruelly* neglected.

☞ With much labor and care, we have collected a large amount of valuable statistical articles, concerning the population, business and affairs of the people of the United States, as shewn in the last year. We cannot generally insert them until after the 3d of March next—but they will not suffer by the delay.

☞ We now publish the counter report of Messrs. Monell and Irwin,* of the committee on manufactures, and are gratified that the majority of that committee allowed these gentlemen an opportunity to make it,† though believing, as before observed, that neither the *matter* nor *manner* will reflect credit on themselves, or render service to their country.

Liberty will be taken to review this counter report, when room can be gained for it. It is, altogether, a curious composition, and makes some ingenuous and strange admissions. The writer seems often to have been "looking one way and rowing another." Its remarkable characteristic, however, is *obedience*—calling to mind the *formula* of the old French parliaments, which enacted laws by saying "*the king wills it.*" We think that the president will not feel complimented because of this thing. It goes too far.

We also publish the report of a majority of the judiciary committee, and shall, next week, insert the able dissent of the minority. The division on this report was four against three. The former deserve credit for the *boldness* of a proceeding which has been put down *indignantly* by a mighty majority of the house, as will be seen by a reference to our journal page 406.

The bill appended to this report, (to repeal the 25th section of what is called the "judiciary act,") was rejected on its first reading—137 to 51: the severest censure that can be bestowed on a committee of such high grade, as that just above named. Had the house been full—we are assured that the vote would have stood 3 to 1, for such uncourteous *nullification* of the labors of the committee.* And, at a regular vote on the proposition, the majority would yet have been larger; for some few in the negative were willing to discuss the subject—others, perhaps, did not wish to see the committee so rudely "turned down," and some may have been willing to entertain the great question, with a view to particular modifications of the judiciary law. But it appears that the idea of a movement which looked towards a result so important as a derangement of the judiciary, could not be endured for a moment. We have prepared an analytical view of this vote, in page 406; which invites many remarks, that must, at least, be deferred. We heartily congratulate the country on this issue. It is not our opinion that the constitution of the supreme court is perfect—it is not in the nature of things that it should be so; but, until some better arrangement of its powers is prepared, we regard the project of destroying these powers as among the wildest that ever entered into the mind of a sane man. We do not say that such powers may have a safe depository *only* in the supreme court, but that they must exist in some supreme body, would appear unquestionable. The idea of twenty-four "nations" acting together, without some common umpire, to establish the respective rights and duties of each, must be altogether a farce—until the millineum shall come!

FOREIGN NEWS.

By an arrival at New York, London papers to the 19th December has been received, giving the details of a revolution in Russian *Poland*. Thus, it will be seen, that the ball of revolution is still in motion. The ancient kingdom of Poland had risen in insurrection against its Russian masters, and the viceroy, the arch duke Constantine, had been compelled to retreat from Warsaw, after a short but sanguinary conflict between the Russian guards and the inhabitants and students of that city. Poland, it will be recollected, was divided between Russia, Prussia and Austria, in 1793 and in 1795. The inhabitants of the portion allotted to the first power have broken out into action; and it is to be expected with this additional stimulant to action, that those of the two latter divisions will hardly slumber.

The immediate cause of this revolution as given in the *Journal des Paris* of December 14th, is as follows:—

It was in the evening of the 9th Nov. that the insurrection was commenced by the under-ensigns. It was excited by the abhorrence which they had to witness the ignominious death of twelve students, who had been sentenced by a court martial to be shot for having sung the Marsellois hymn! The first point to which the ensigns directed their course was to the arsenal; they took possession of that post, which contained 70,000 guns, and 100 pieces of cannon. The grand duke Constantine, was then at Belvedere, about three miles from Warsaw. The fight continued during the whole of the night, and on the following morning the people remained masters of the city. The regiment of engineers was the first to revolt. The French tri colored cockade was instantly adopted, and cries of "Vive Lafayette, the friend of Kosciusko, for ever!" They went to the house of the French consul in search of the tri-colored flag; and having found it, although the consul (M. Durand) was suspected to be a congregationist, and attached to the fallen dynasty, they joined the Polish white flag and the tri-

*The report, proper, was agreed to, 4 against 3—and one on the latter, Mr. J. S. Barbour, of Virginia, took an opportunity publicly to make known his disagreement, as well to the report as to the counter report. So the latter was the act of Messrs. Monell and Irwin, only.

†We are glad that the majority of this committee did not follow the lead of that of the committee of ways and means in 1828, when Mr. McDuffie's famous and long essay "on matters and things in general" was introduced into the house, and three of the seven gentlemen of that important committee were compelled to say, they had never heard that such a report was contemplated until it was actually presented; though it did not appear, nor was it intimated, that they had failed in their attendance as members of that committee! and yet Mr. McDuffie has complained of a want of "courtesy" in the house, because the members refused to consider some *outre* proposition that HE had made!

*It is specially stated, that the three absent members from New York would have voted with the majority. But the whole force on the other side is presumed to have been present, a very few excepted. [*See yeas and nays.*]

colored one together, and hoisted them in that state. The national guard is being raised.

The Prussian state Gazette of December 4th, says the news of the Polish insurrection caused the greatest consternation.

"As far as we yet know, the plot was recently prepared, and then carried into effect by a number of young Poles, who are educated in a military school, and consequently have a military organization. The insurgents hastened to the palace and murdered the Russian sentinels. At the same time they called the citizens to arms, the arsenal was stormed, and all hastened to combat the Russian and some Polish troops, at whose head the grand duke Constantine retired fighting. The grand duke is said to have incurred the greatest personal danger.

The military students were between five and six hundred. They spread themselves through the city, calling upon the inhabitants to arm themselves. They were joined by the multitude and proceeded to the barracks of the infantry and arsenal, and seized upon the artillery by which the populace were supplied. Several of the regiments joined the citizens. The archduke Constantine, on the point of being surrounded in his palace, retreated towards Praga with a guard, two Russian regiments and a regiment of Polish cavalry, who followed him from a sense of honor. Forty-one colonels and majors were killed in endeavoring to keep the troops in obedience. Two aids of the duke are also said to have been slain. The general opinion is that the desertion of the Polish army will become general. The military chest, and the house of the pay-master general, had been plundered. The French tri-color cockade was first adopted, it was however soon substituted by that of the Polish cockade. A corps of national guards was organized. Many distinguished general officers had been killed. The citizens, much to their credit, were arresting those who plundered the magazines, &c. The Russian families residing in Poland, have been placed under the protection of the national honor.

Prior to the retreat of the duke Constantine, he issued a proclamation forbidding the Russian troops to interfere in the insurrection further, leaving the Poles to terminate themselves! But at the same time he cautions the Poles to beware of the precipice on which they stand, and exhorts them to return to order and obedience.

A provisional government of 31 members, and an executive committee of the council of administration were engaged on the night of the 1st December, with the following objects:

1. With issuing an order for the opening of the barriers for all persons leaving Warsaw. Those desirous to go to the provinces without passports, first giving notice to the police.

2. With measures for the safety of the mails, both coming and going.

3. With the safety of all the money in the several public coffers.

4. With measures for the regular supply of provisions for the troops in and near Warsaw.

5. With similar measures for the regular supply of provisions for the inhabitants of the city.

6. With the organization of a committee to maintain tranquility in the suburb of Praga.

7. With new appointments for several offices.

8. With the project for the organization of a general board of public safety in the whole kingdom, and with other subjects of a similar nature.

The journals contain the decree of the council appointing general Chlopicki commander in chief of all the forces of the kingdom.

General Chlopicki was suddenly taken ill yesterday, which caused general consternation. It is, however, reported that he was better in the evening. Yesterday evening that general received official news that the garrison of the fortress of Modlin, after a letter to the grand duke Constantine had been communicated to it by his late aid-de-camp, count Zamoyski, had surrendered without resistance. The particulars of the capitulation are not known.

The archduke Constantine was in retreat to the empire; and, in a proclamation, he commits all the national and public property, and persons, to the honor of the Poles. A large army, however, is on the frontiers, and the emperor may be less peaceable than the archduke. The Poles have laid the foundation stone of their regained power, and will, in all probability, succeed in raising the superstructure.

The character of the provisional government formed, may be gathered from the following proclamation.

From the Prussian State Gazette, Dec. 7.

The following (account from Warsaw Journals) is the proclamation of the council of administration respecting the admission of new members.

In the name of his majesty the emperor, king of Poland, Nicholas I. Considering the urgency of the case, the council of administration has invited the following persons to join in the exercise of its functions:—

The prince senator and Woywode Adam Czartoriski, the senator Woywode Michael Radzivill, the senator Castellan Michael Kochanowski, the senator Castellan count Louis Paez, the secretary to the senate, Julian Niemcewicz, and general Joseph Chlopicki. Done at Warsaw, Nov. 30, 1830.

(Signed) The president minister of state.
COUNT VAN SOBOLEWSKI.
The minister of finance,
PRINCE LUBECKI.
For the secretary of state,
TYMOSKI.

The Times of the 18th Dec. states that their extracts from the German papers contain facts too scanty to form any decided opinion concerning the actual extent or probable result of the movements in Poland. The Courier of the same date says, that authentic accounts from Warsaw of the 4th Dec. announce that a new provisional government had been formed in that city, upon principles more hostile to Russia than those originally avowed. It is also stated that the most active measures were taken at Warsaw to repel attack.

The London Court Journal says that the news from Poland has not produced any marked change in the tone or bearing of the ministers of the three powers, relative to the affairs of Belgium.

At the beginning of 1829, the kingdom of Poland contained 3,088,209 souls, exclusive of the army. The increase since 1825 had been 383,983. The Jewish portion of the inhabitants had almost universally located in distinct quarters, they amounted to 384,265. The extent of property insured at the Warsaw assurance office was 42,000,000 guldens, or £33,250,000 stg. in value. Warsaw contains a population of 136,554, independently of a garrison of about 15,000 men—of this population 30,016 are Jews.

"The oppression, says Bell's Weekly Messenger, which the Russians practised in Poland can scarcely be believed. No man in any station of life was permitted to marry or to dispose of his inheritance; without a license from the government.—Most persons possessed of any influence were compelled to live in solitude upon their own estates, and not permitted to pass even the frontiers of one province to another, without a passport obtained by the most degrading supplications. Thus, whilst the Russians were travelling in every quarter of Europe, a Polish traveller was scarcely so much as seen. Poland was imprisoned, as it were, within her own frontiers, and kept for the gloomy pleasure of Russia, who exhausted every species of tyranny and exaction upon the people."

FRANCE.

Mr. Benjamin Constant died at his residence in Paris, on the 5th of December. The French papers of the 13th are filled with details of the funeral honors paid to the deceased, which took place on the 12th. The funeral was solemnized with great splendor.

The trial of the French ex-ministers commenced at Paris on the 15th Dec. before the court of peers. The prisoners, with the exception of Peyronnet, were pale and wan.

Marshal Soult had offered a *project* of a law to increase the army to 500,000 men, to be raised by a conscription, the duration of service to be five years.

With regard to the trial of the ministers, the Gazette de France says—"How can those who have annihilated the charter of 1814, try and condemn men of their order who only violated that charter? If it were criminal to infringe, what was it to abolish?"

ITALY.

Pope Pius VIII. died in November. The prince, says the Herald, was raised to the holy see in 1829, was a man of mild manners and unassuming good sense. The possession of the latter he proved in a high degree, by the instant and cordial acknowledgment which he made of the change of government in France, almost the last act of his reign.

GREAT BRITAIN AND IRELAND.

Disturbances and burnings continued in England.—Barns, stables, and stacks of grain and hay, were destroyed in various parts of the country. Reading, Essex, Layton, Lamsay, Clarton, Kirby, Tunbridge, Elton and Bixford were the theatres of conflagration, and the destruction of machinery. Nearly every tradesman in Suffolk had been sworn in as a special constable.—Conflagrations had also taken place in Cheshire, Hertfordshire, Suffolk and Warrington. Three hundred persons had been already imprisoned in West Chester jail, and a special commission to try them had been opened on the 18th of December. The freeholders of Middlesex had held a meeting, and adopted resolutions calling for triennial parliaments, the vote by ballot, and other reforms. Sir Francis Burdett, who was opposed to some of the resolutions, spoke amidst hisses and cheers. Mr. Hume was received with great cheering.

A committee has been appointed in the house of commons to report what reductions of salaries could be made.

The marquis of Chandos had presented a memorial from the West India holders of property, praying to be protected in their slaves and other possessions.

The funeral of the late lord mayor of London, took place on the 15th December.

The colonial trade bill was discussed in the house of commons on the 13th December.

Great gloom prevailed at the stock exchange, London, on the 18th December. It was reported at Lombard st. this day, at 2 o'clock, P. M. that an order had been received from France, for 30,000 stand of arms—forcible.

AUSTRIA.

The *London Mias* of the 19th of December, contains the following account of an insurrectionary movement at Milan.

We have received the Pac's papers of Tuesday.—They contain a curious dramatic-political scene, which is said to have been acted at Milan. A conspiracy, on a grand scale, was organised in that city against the Austrian authorities. The conspirators were assembled in the pit of the theatre, and there, at a certain signal, the insurrection was to have broken out. The bell rung, the curtain rose, and discovered the stage crowded with Austrian soldiers; their muskets pointed to the pit. Every door was similarly beset, and the astonished revolutionists were arrested to a man in the very scene of the conspiracy, and conducted to the fortress of Spielberg.

TWENTY-FIRST CONGRESS—2d SESSION.

SENATE.

January 28. Mr. *Noble* presented the memorial of the legislature of Indiana, praying a grant of land to each county in that state for the erection of an asylum for paupers—also two resolutions of the same legislature praying further extension of relief to the purchasers of public lands; the aid of congress for the improvement of the road from Madison to Indianapolis, and another for the extinguishment of Indian titles to lands in that state.

The resolution of Mr. *Clayton* relative to the post office department was considered and adopted.

The bill to grant a portion of public land for the erection of the necessary public buildings at the seat of government of Arkansas, was read a second time and referred.

The bills to authorise the president to build three additional schooners for the naval service; to amend the act for encouraging the cultivation of the vine and the olive; were severally read a third time and passed.

The bill to amend the several acts respecting copy rights was considered, and ordered to be engrossed for a third reading.

The bill to extend the time for completing the fifth census was also considered, and ordered to be engrossed for a third reading.

On motion of Mr. *Foot*, the senate again resolved itself into a high court of impeachment.

Mr. *Wirt*, with permission, explained a remark which he was understood to have made towards the conclusion of his argument in favor of the respondent.

Mr. *Buchanan* then rose, and addressed the court in a very able and eloquent argument in support of the impeachment. He declared, that the usurpation of an authority not legally possessed by a judge, or the manifest abuse of a power really given, was a misbehavior in the sense of the constitution, for which he should be dismissed from office. He contended, that the conduct of judge Peck, in the case of Mr. Lawless, was in express violation of the constitution and laws of the land; that the circumstances of that case were amply sufficient to shew a criminal intention on his part in the summary punishment of Mr. Lawless; that, in order to prove the criminality of his intentions, it was not necessary to demonstrate an actually malicious action, or a lurking revenge; that the infliction upon Mr. Lawless of a summary and cruel punishment, for having written an article decorous in its language, was itself sufficient to prove the badness of the motive; that the consequences of the judge's actions were indicative of his intentions; that our courts had no right to punish, as for contempts, in a summary mode, libels, even in pending causes; and that, if he succeeded, as he believed he should, in establishing these positions, he should consider that he had a right to demand the judgment of the court against the respondent. The honorable manager continued to address the court for three hours and a quarter; and finding that he could not conclude his argument at this sitting, the court adjourned till to-morrow.

January 29. The vice president presented a memorial from certain merchants, workers in gold, of Philadelphia city and county, praying a reduction of duty on imported gold—also a memorial from certain citizens of New Jersey, praying an allowance of drawback on iron used in ship building.

Mr. *Dickerson* moved the reference of this paper to the committee on commerce.

Mr. *Hayne* moved its reference to the committee on commerce.

These motions gave rise to a desultory discussion as to the best disposition to make of the memorial, in which Mr. *Hayne*, Mr. *Dickerson*, Mr. *Benton*, Mr. *Woodbury*, Mr. *King*, Mr. *Foot*, Mr. *Silsbee*, Mr. *Knight*, and Mr. *Webster* participated.

Finally, at the suggestion of Mr. *Webster*, the memorial was laid on the table, to give the senators time to consider the question of reference submitted to them.

Mr. *Hendricks*, from the committee on roads and canals, reported, without amendment, the bill for improving the mail road from Louisville and St. Louis. He stated, at the same time, that a majority of the committee were opposed to it.

On motion of Mr. *Foot*, the senate again resolved itself into a court of impeachment.

Mr. *Buchanan* concluded his argument in support of the impeachment. He took the further position, that the publication of Mr. Lawless, under the signature of "A Citizen," could not, in a trial upon an indictment for libel, be established to be libellous, according to the constitution and laws of the land—that the paper was, on its face perfectly harmless in itself—and that, so far as it went, it was not an unfair representation of the opinion of judge Peck. The honorable manager critically and legally analyzed the nine last specifications in the publication, to establish these points. He then proceeded to sum up and descant upon the testimony produced in the case before the court of impeachment, in order to show the arbitrary and cruel conduct of judge Peck; and, in a peroration, marked by its ardent eloquence, he declared, that if this man escaped, the declaration of a distinguished politician of this country, that the power of impeachment was but the scare-crow of the constitution, would be fully verified; that when this trial commenced, he recoiled with horror from the idea of limit-

ing, and rendering precarious and dependent, the tenure of the judicial office, but that the acquittal of the respondent would reconcile him to that evil, as one less than a hopeless and remediless submission to judicial usurpation and tyranny, at least so far as respected the inferior courts—God forbid that the limitation should ever be extended to the supreme court! Mercy to the respondent would be cruelty to the American people. In the name, therefore, of the people of the United States, whose liberties he had violated—in the name of the judiciary, whose character he had injured and tarnished—he respectfully asked of this honorable court the conviction of the respondent.

The argument being concluded on both sides, on motion of Mr. *Webster*, the court then resolved to meet again at 12 o'clock on Monday morning next, in order to proceed farther in the consideration of this impeachment. Adjourned.

January 31. A message was received from the president of the United States.

Mr. *Sanford* presented a memorial from the chamber of commerce of New York, praying for the erection of a custom house in that city.

Mr. *Barnard* presented memorials from the merchants of Philadelphia, and from the citizens of Delaware county, for the improvement of the navigation of Back creek—also twenty-three memorials from Chester county, Pa. for the repeal of the Indian bill.

Mr. *Robinson* presented memorials from the legislature of Illinois, praying for a survey of the public lands at the lead mines, and for an appropriation to aid the state in erecting a hospital for the reception of disabled seamen.

Mr. *Smith*, of Maryland, presented the memorial of the legislature of Maryland, praying an appropriation for the improvement of the harbor of Annapolis.

On motion of Mr. *Kane*, the hon. Mr. *Robinson*, a member of the senate from Illinois, not having heard the testimony in the case of the impeachment of judge Peck, was excused from voting on the subject.

Mr. *Benton*, on his own motion, was also excused.

Mr. *Burnet* submitted the following resolution:

Resolved, That the committee on commerce be instructed to inquire into the expediency of making an appropriation for the purpose of erecting a light-house at Port Clinton, on lake Erie, in the state of Ohio.

On motion of Mr. *Smith*, of Maryland, the secretary of the senate was directed to procure one thousand copies of the report of the bank of the United States, lately made to the house of representatives, for the use of the senate.

The bill making appropriations for the continuation of the Cumberland road, through Ohio, Indiana, and Illinois, was taken up on a second reading, and ordered to be engrossed for a third reading. [Passed next day.]

The bill to repeal the duties on certain imported articles was read a second time.

Mr. *Smith*, of Maryland, moved to amend the bill by adding a repeal of the duties on *tolu*, or Venitian red, and to lay it, with the amendments, on the table, with a notice that, if possible, he would call it up on Wednesday next.

Mr. *Dickerson* said, that he should move to refer the bill to the committee on manufactures.

It was then laid on the table.

On motion of Mr. *Foot*, the senate again resolved itself into a high court of impeachment.

The house of representatives, with their managers, and the counsel for the respondent, having come into court,

Mr. *Tazewell* moved the following resolution:

Resolved, That this court will now pronounce judgment upon James H. Peck, judge of the district court of the United States for the district of Missouri.

Mr. *Tazewell* observed, that if there were one member of the court unprepared for a decision on this impeachment at this time, or preferred any other mode of proceeding to pronounce judgment, he would cheerfully withdraw the resolution.

No objection having been made, the resolution was unanimously adopted.

The names of the senators were then called over by the secretary.

The secretary of the senate under the direction of the *vice president*, read the article of impeachment exhibited by the house of representatives against James H. Peck, judge of the district court of the United States for the district of Missouri.

The *vice president* rose and said—

Senators: You have heard the article of impeachment read: you have heard the evidence and the arguments for and against the respondent: when your names are called, you will rise from your seats, and distinctly pronounce whether he is guilty or not guilty, as charged by the house of representatives.

The *vice president* then, in an audible voice, put the following question to each of the senators in alphabetical order, commencing with

Mr. Senator *Barnard:* What say you! Is James H. Peck, judge of the district court of the United States for the district of Missouri, guilty or not guilty of the high misdemeanor charged in the article of impeachment exhibited against him by the house of representatives.

Each senator rose from his seat, as this question was propounded to him, and answered as follows:

GUILTY—Messrs. Barnard, Brown, Clayton, Dickerson, Dudley, Ellis, Forsyth, Hayne, Iredell, Kane, King, Livingston, McKinley, Poindexter, Robbins, Sanford, Smith, of Md. Smith, of S. C. Troup, Tyler, Woodbury—21.

NOT GUILTY—Messrs. Barton, Bell, Burnet, Chase, Foot, Frelinghuysen, Grundy, Hendricks, Holmes, Johnston, Knight, Marks, Naudain, Noble, Ruggles, Seymour, Silsbee, Sprague, Tazewell, Webster, White, Willey—22.

Mr. *Bibb*, Mr. *Chambers*, and Mr. *Rowan* were absent.

The *vice president* again rose, and observed—

Senators: Twenty-one senators having voted that the respondent is guilty, and twenty-two that he is not guilty; and two-thirds of the senate not having voted for his conviction, it becomes the duty of the chair to pronounce, that James H. Peck, the judge of the district court of the United States for the district of Missouri, stands acquitted of the charge exhibited against him by the house of representatives.

The *vice president* then directed the marshal to adjourn the court of impeachment; and it was accordingly adjourned *sine die*.

On motion of Mr. *White*, the senate proceeded to the consideration of executive business, and sat with closed doors about an hour.

Adjourned till to-morrow morning.

February 1. A message was received from the president.

The *vice president* communicated a report from the secretary of the navy, on the subject of application for pensions, which have been refused or suspended in consequence of the insufficiency of the testimony; and recommending the claims of those who were lost in the ship Epervier. It was referred to the committee on naval affairs.

Mr. *Noble* presented two joint memorials of the general assembly of Indiana, relative to an appropriation from congress towards improving the navigation of the Wabash river, and for establishing a mail route from the Ohio Falls to Indianapolis; also a joint resolution from the same legislature relative to a grant of a portion of the public lands in that state, for the making of a road from Fort Gaines to the Horse Shoe Bend: They were severally referred to the appropriate committees.

Several petitions and memorials of a private character were presented.

Mr. *McKinley* submitted a resolution designating Thursday next, as the day on which to elect a printer to the senate.

Mr. *Woodbury*, from the committee on commerce, to whom was referred the resolution adopted on the 6th ultimo, on the allowance for draft on articles subject to duty by weight, reported against any change being necessary for the present, and the committee were discharged from its consideration.

Mr. *Woodbury*, also from the same committee, reported, without amendment, the bill making an appropriation towards the improvement of the navigation of the Monongahela and Allegany rivers; and the bill relative to vessels employed in the whale fishery.

Mr. *Benton* gave notice that to-morrow, he would introduce a joint resolution relative to renewing the char-

ter of the bank of the United States, in order to obtain the sense of congress on the subject.

The following resolution submitted yesterday by Mr. *Johnston*, was then taken up for consideration:

Resolved, That the secretary of the senate be directed to procure fifty copies of the debates of the state conventions on the adoption of the federal constitution in 1787, one copy of which to be delivered to each member of the senate.

Mr. *Johnston* made a few remarks on the value and general utility of the work.

Mr. *King*, before the question was put, wished to know if the price was fixed at which the work was to be taken.

Mr. *Johnston* replied that the work consisted of four volumes, and that the price was $12, which was considered reasonable from the quantity of matter it contained, and this he also believed was the price paid for the set in the library of congress. The resolution was then read a second time and ordered to a third reading. [Passed next day.]

February 2. Mr. *Bibb*, of Kentucky, appeared and took his seat.

Several private memorials were presented.

Mr. *Ellis* reported a bill authorising the appointment of a surveyor in Louisiana.

Mr. *Woodbury* reported a bill making Blakely in Alabama a port of entry.

Mr. *Grundy* submitted the following resolution, observing that a serious difference of opinion existed in the committee on the subject embraced in it, and that he should assign his reasons in its favor to-morrow:

Resolved, That the select committee, appointed on the fifteenth day of December last, to inquire into the condition of the post office department, are not authorised to call before them the persons who have been dismissed from office, for the purpose of ascertaining the reasons or causes of their removal.

The resolution to proceed to the election of a printer to the senate to-morrow, was taken up; and, on motion of Mr. *Marks*, it was amended so as to postpone the election until Tuesday next, at 12 o'clock, and adopted.

Mr. *Benton* submitted the following joint resolution, and supported it in a speech of two hours and a half, in which he justified himself for bringing it forward at this time, and earnestly urged his objections to the renewal of the charter of the bank:

Resolved by the senate and house of representatives of the United States of America in congress assembled, That the charter of the bank of the United States ought not to be renewed.

Mr. *Webster* called for the yeas and nays on the question to grant leave for the introduction of the above joint resolution; and the vote was as follows:

YEAS—Messrs. Barnard, Benton, Bibb, Brown, Dickerson, Dudley, Forsyth, Grundy, Hayne, Iredell, King, McKinley, Poindexter, Sanford, Smith, of S. C. Tazewell, Troup, Tyler, White, Woodbury—20.

NAYS—Messrs. Barton, Bell, Bornet, Chase, Clayton, Foot, Frelinghuysen, Hendricks, Holmes, Johnston, Knight, Livingston, Marks, Noble, Robbins, Robinson, Ruggles, Seymour, Silsbee, Smith, of Maryland, Sprague, Webster, Willey—23.

The senate adjourned until 12 o'clock to-morrow.

February 3. No matter of immediate interest was acted upon, or determined, in the senate this day. Some time was spent in executive business. The journal shall, however, be preserved.

HOUSE OF REPRESENTATIVES.

Friday, Jan. 28. Several reports or private claims were made.

Mr. *Hodges* reported a bill regulating the compensation of the clerks in the post office department, which was twice read and reported.

Mr. *Verplanck* reported a bill making appropriations for carrying on certain roads and works of internal improvements.

Mr. *Ellsworth* reported the bill from the senate for the payment of the witnesses attending the trial of judge Peck with amendments, which was twice read and committed. It was subsequently taken up, the amendments agreed to, and the bill ordered to be read a third time to-morrow. The amendments increased the appropriation from $12,000 to $13,500.

Mr. *Polk* made a report on the subject of the distribution of the public revenue.

Mr. *Lecompte* submitted the following:

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of amending the constitution of the United States, so that the judges of the supreme court and of the inferior courts shall hold their respective offices for a term of years.

Mr. *Whittlesey* demanded the question of consideration, and

Mr. *Vance* called for the yeas and nays on the question.

They were ordered by the house, and being taken, stood as follows:

YEAS—Messrs. Alexander, Allen, Alston, Angel, Baylor, Bell, James Blair, John Blair, Boon, Cambreleng, Carson, Chandler, Chilton, Claiborne, Conner, Crocheron, Warren R. Davis, Desha, De Witt, Earll, Findlay, Foster, Fry, Gordon, Hall, Halsey, Harvey, Haynes, Hinds, Thomas Irwin, Jarvis, Cave Johnson, Perkins King, Adam King, Lamar, Lea, Leavitt, Lecompte, Lewis, Lumpkin, McCreery, McCoy, Miller, Nuckolls, Pettis, Potter, Richardson, Roane, Scott, Shields, Standefer, Sterigere, Wiley Thompson, John Thomson, Tucker, Wayne, Weeks, Wickliffe, Yancy—61.

NAYS—Messrs. Anderson, Archer, Armstrong, Arnold, Noyes Barber, John S. Barbour, Barnwell, Barringer, Bartley, Beekman, Bouldin, Broadhead, Brown, Burges, Butman, Cahoon, Clay, Condict, Cooper, Coulter, Cowles, Craig, Crane, Crawford, Crockett, Creighton, Crowninshield, Davenport, John Davis, Deberry, Denny, Doddridge, Dorsey, Draper, Drayton, Duncan, Dwight, Eager, Ellsworth, George Evans, Joshua Evans, Edward Everett, Horace Everett, Finch, Forward, Gilmore, Gorham, Green, Grennell, Hemphill, Hodges, Holland, Hoffman, Howard, Hughes, Hunt, Huntington, Irvin, Ingersoll, Johns, Kendall, Kennon, Kincaid, Leiper, Lent, Loyall, Maliary, Martindale, Martin, Thomas Maxwell, Lewis Maxwell, McDuffie, McIntire, Mitchell, Monell, Muhlenburg, Norton, Patton, Pearce, Pierson, Polk, Ramsay, Reed, Rose, Russel, Sanford, Wm. B. Shepard, Aug. H. Shepperd, Sill, Smith, Speight, Ambrose Spencer, Richard Spencer, Stanberry, H. R. Storrs, W. L. Storrs, Strong, Sutherland, Swann, Swift, Taylor, Test, Trezvant, Vance, Varnum, Verplanck, Vinton, Washington, Whittlesey, Camp. P. White, E. D. White, Wilde, Williams, Wilson, Wingate, Young—115.

So the house refused to consider the resolution.

On motion of Mr. *Thompson*, of Georgia, it was

Resolved, That the committee on revolutionary claims be instructed to inquire into the expediency of authorising by law a re-issue of the bounty land warrant, numbered 1625, issued to Jacob Bosworth, on the 7th June, 1830, which the said Jacob Bosworth alleges is lost.

Mr. *Drayton* laid the following on the table.

Resolved, That the secretary of war be directed to furnish this house with the several original reports or statements, or copies thereof, received by him, or transmitted to the major general, relating to a resolution of the house, at its last session, directing the secretary of war to report "whether any reduction in the number of officers in the army of the United States can be made without injury to the public service," &c.

Mr. *Ellsworth* laid on the table the following:

Resolved, That the secretary of war be directed to lay before this house the manner in which annuities due to the Cherokee nation of Indians are paid, whether to the nation, or to the individuals constituting the nation.

The house then resumed, in committee of the whole, the bill "to amend the act to quiet the title of purchasers of the public lands between the lines of Ludlow and Roberts, in the state of Ohio," Mr. *Howard* in the chair.

Some further conversation took place between Messrs. *Trezvant*, *Wickliffe* and *Vinton*, when the amendments proposed by the committee of private land claims were disagreed to, and the committee rose and reported the bill to the house.

The house concurred with the committee of the whole in rejecting the proposed amendments, and the bill was ordered to be read a third time to-morrow.

The *speaker* laid before the house a letter from the secretary of the navy, transmitting the annual report of the commissioners of the navy pension fund, which was ordered to lie on the table.

The hour of 12 having arrived, the house, on motion of Mr. *Irvin*, of Ohio, again resolved itself into a committee of the whole, Mr. *Martin* in the chair, and proceeded to the senate to attend, before the high court of impeachment, the trial of judge Peck. Having returned, and reported progress.

The *speaker* laid before the house a communication from the secretary of war, in pursuance of a recent resolution of congress, relative to the military academy; which was laid on the table.

The *speaker* also laid before the house a letter from the secretary of war, transmitting 250 copies of the army register, which letter was laid on the table.

The house then adjourned till 11 o'clock to-morrow.

Saturday, Jan. 29. The bill to repeal the 25th section of the judiciary act, passed on the 4th September, 1789, coming up as the first business of the morning, the question being on the motion of Mr. *Buchanan* to post-

pone the motion, that the bill be read a second time, to Tuesday next—

Mr. *Crawford* rose, and, after a few remarks, demanded the previous question; which was the motion of Mr. *Doddridge*, that the bill be rejected.

The demand was sustained by the house, ayes 81, noes 69.

The question was then put, "shall the main question be now put?"

And it was determined in the affirmative, ayes 75, noes 68.

Mr. *Strong* called for the yeas and nays on the main question, and they were ordered by the house.

Mr. *Crawford* moved for a call of the house—which motion prevailed; when it was ascertained that there were 171 members present.

Mr. *Mercer* then moved to dispense with further proceedings in the call; but the motion was negatived.

The names of absentees on the first call were then called over a second time. Several of them answered to their names, and excuses were made for others; 183 members were now ascertained to be present.

The doors were then closed; when,

On motion of Mr. *Dwight*, further proceedings in the call were suspended.

The main question was then put, viz: "shall the bill be rejected?"

And it was determined in the affirmative, yeas 137, nays 51.

So the bill was REJECTED.*

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*We give below a table shewing the vote by states, together with the names of those members, from their respective states, who did not vote upon the question.

MAINE.

Ayes. Messrs. Anderson, Butman, Evans, Holland, McIntire, Wingate.
No. Mr. Jarvis.

NEW HAMPSHIRE.

Ayes. Messrs. Broadhead, Hubbard, Weeks.
Noes. Messrs. Chandler, Harvey.
Absent. Mr. Joseph Hammons.

MASSACHUSETTS.

Ayes. Messrs. Bailey, Bates, Crowninshield, J. Davis, Dwight, Everett, Grennell, Gorham, Hodges, Kendall, Reed, Richardson, Varnum.

RHODE ISLAND.

Ayes. Messrs. Burges, Pearce.

CONNECTICUT.

Ayes. Messrs. Noyes Barber, Ellsworth, Huntington, Ingersoll, W. L. Storrs, Young.

VERMONT.

Ayes. Messrs. Cahoon, Hunt, Mallary, Swift.
Absent. Mr. Horace Everett.

NEW YORK.

Ayes. Messrs. Arnold, Beekman, Bockee, Borst, Cowles, Crocheron, Dewitt, Dickinson, Eager, Earll, Finch, Halsey, Hoffman, King, Lent, Magee, Martindale, Monell, Norton, Powers, Rose, Sanford, Spencer, Storrs, Strong, Taylor, Verplanck, C. P. White.
Noes. Messrs. Angel, Cambreleng, Maxwell.
Absent. Messrs. Timothy Childs, Joseph Hawkins, Phineas Tracy.

NEW JERSEY.

Ayes. Messrs. Cooper, Condict, Hughes, Pierson, Swann.
Absent. Mr. James F. Randolph.

PENNSYLVANIA.

Ayes. Messrs. Buchanan, Crawford, Coulter, Denny, Evans, Forward, Fry, Gilmore, Green, Hemphill, Ihrie, Irwin, King, Leiper, McCreery, Miller, Muhlenburg, Scott, Sill, Sterigere, Sutherland.
Absent. Messrs. James Ford, Alem Marr, William Ramsey, S. H. Smith, Philander Stevens.

DELAWARE.

Aye. Mr. Johns.

MARYLAND.

Ayes. Messrs. Brown, Dorsey, Howard, Mitchell, Semmes, Spencer, Sprigg, Washington, Wilson.

VIRGINIA.

Ayes. Messrs. Armstrong, J. S. Barbour, Craig, Doddridge, Lewis Maxwell, Mercer.
Noes. Messrs. Alexander, Allen, Bouldin, Claiborne, Davenport, Draper, Gordon, Loyall, McCoy, Patton, Roane, Trezvant.
Absent. Messrs. Wm. S. Archer, Richard Coke, jr. Andrew Stevenson, John Taliaferro.

NORTH CAROLINA.

Ayes. Messrs. Barringer, Deberry, Wm. B. Shepard, Aug. H. Shepperd, Speight, Williams.
Noes. Messrs. Alston, Conner, Hall, Potter.
Absent. Messrs. Samuel P. Carson, E. Dudley, A. Rencher.

SOUTH CAROLINA.

Ayes. Messrs. McDuffie, Drayton.

[After taking the question, Mr. *Ramsay* stated that he had been necessarily detained on public business at the departments; he said he had entered the hall while the list was calling, but after his name had been passed. He was desirous to record his name, and asked the unanimous consent of the house to do so; but it was objected to. Mr. R. then moved for the suspension of the rule of the house, so that he might record his name; but two-thirds of the members not rising in the affirmative, the motion did not prevail. It is understood that Mr. R. would have voted in the affirmative.]

The house then resumed the consideration of the resolution submitted by Mr. *Haynes*, some days since relative to brown sugar, which at the instance of Mr. *White* was further postponed until Monday next.

On motion of Mr. *Barbour*, of Va. it was

Resolved, That a committee be appointed, whose duty it shall be to consider all matters referred to them touching the public buildings and grounds, with leave to report by bill or otherwise.

[The committee will be announced on Monday.]

Mr. *Martin* submitted an amendment to the report of the committee appointed to inquire into the disposition of the surplus revenue; which he wished should lie on the table, and be printed. The motion prevailed.

The resolution heretofore submitted by Mr. *Drayton*, calling on the secretary of war for certain information relative to officers of the army, furloughs, &c. was considered and agreed to.

The resolutions heretofore submitted by Mr. *Hodges*, calling upon the secretary of state for certain information, was taken up, considered, and modified to read as follows:

"*Resolved*, That the president of the United States be requested to inform this house what measures have been taken by the executive in relation to the capture, on the 4th of July, 1829, of the ship Galatea, late of the port of New Bedford, by a Portuguese naval squadron then blockading the island of Terceira; and also, in relation to the imprisonment and robbery of the crew of said ship; and to the capture of other American vessels, under the same order of blockade.

Resolved, That the president be requested to lay before this house any correspondence that may have been had, touching this matter, within the knowledge or possession of the president, not incompatible with the public interest.

After a few remarks from Mr. H. in explanation of the object of the resolutions, they were agreed to, as modified.

The resolution offered by Mr. *Potter* a few days since, to amend the rule of the house which limits the discussion of resolutions to one hour, was next taken up.

Mr. *Potter* was going on to state the reasons which induced him to offer the resolution, and explaining the

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Noes. Messrs. Barnwell, Blair, Campbell, Davis, Martin, Nuckolls, Tucker
Absent. Mr. James M. Wayne.

GEORGIA.

Noes. Messrs. Foster, Haynes, Lamar, Lumpkin, Thompson Wilde.

KENTUCKY.

Ayes. Messrs. Chilton, Clark, Kincaid, Leteher.
Noes. Messrs. Coleman, Daniel, Gaither, Rd. M. Johnson, Lecompte, Lyon, Wickliffe, Yancey.

OHIO.

Ayes. Messrs. Bartley, Crane, Creighton, Findlay, Irvin, Kennon, Leavitt, Russel, Shields, Thompson, Vance, Vinton, Whittlesy.
Absent. Mr. Stanberry.

TENNESSEE.

Ayes. Messrs. Blair, Crockett, Johnson, Standifer.
Noes. Messrs. Bell, Desha, Polk.
Absent. Messrs. Jacob C. Isaacs, Prior Lea.

INDIANA.

Ayes. Messrs. Boon, Test.
Absent. Mr. Jonathan Jennings.

LOUISIANA.

Ayes. Messrs. Gurley, White.
No. Mr. Overton.

ALABAMA.

Aye. Mr. Baylor.
Noes. Messrs. Clay, Lewis.

ILLINOIS.

Absent. Mr. Joseph Duncan.

MISSISSIPPI.

No. Mr. Hinds.

MISSOURI.

No. Mr. Pettis.

Note. It is believed that a large majority of the gentlemen absent were in favor of the rejection: and a member of the New York delegation has positively declared, in a *card* in the National Intelligencer, that the three members absent from his state, had they been present would have voted with the majority.

bad effects of the present rule, when he was interrupted by the expiration of the hour—elucidating, as he said, the inexpediency of the rule, and exemplifying the great disadvantages under which members labored.

On motion of Mr. *Coleman*, the house then again resolved itself into a committee of the whole, Mr. *Martin* in the chair, and proceeded to the senate, to attend the trial of judge Peck, before the high court of impeachment. Having returned, and reported progress,

The house adjourned to Monday next, at 11 o'clock.

Monday, Jan. 31. Several petitions were presented.

Mr. *Crockett* presented the petition of three Cherokee Indians, who are entitled to reserves of 640 acres of land each, and moved its reference to the committee of claims.

Mr. *Clay* suggested that the proper reference would be to the committee of public lands.

Mr. *Crockett* maintained that the petition should go to the committee of claims. He explained the object of the memorialists. They had been dispossessed of their land by white men, and brought a suit for its recovery, but were too poor to employ counsel. They had thrown themselves on the state of Tennessee for the benefit of the pauper law, so as that counsel might be employed for them; but the benefit of that law was refused. He hoped the petition would go to the committee of claims.

Mr. *Williams* moved its reference to the judiciary committee.

After some conversation between Messrs. *Clay*, *Williams*, *Whittlesey*, and others, the petition was finally referred to the committee of claims.

Mr. *Mitchell* presented the following resolutions of the general assembly of Maryland; which were referred to the committee of commerce:

"Whereas a sand bar, or shoal, at or near the mouth of the Severn river, prevents vessels of the largest class from entering the harbor of Annapolis, which it is believed may be removed at an inconsiderable expense, when compared with the great advantages which would be realized to the commerce and navigation of the country from such improvement, and which deserves attention in a national point of view—Annapolis being one of the most safe winter harbors in the U. States—affording a depth of water sufficient for a seventy-four gun ship, and having adjoining to it a beautiful sheet of water called the Round Bay, in which numerous vessels of the largest class may ride in safety: therefore,

"*Resolved, by the general assembly of Maryland*, That our senators and representatives in congress be, and they are hereby, requested to use their endeavors to obtain, at the present session, from the congress of the United States, an appropriation for removing the obstruction to the entrance of the harbor of Annapolis.

"*Resolved*, That his excellency the governor be requested to transmit a copy of the preceding preamble and resolution to each of our senators and representatives, to be by them submitted to the consideration of both houses of congress."

Mr. *Cambreleng*, from the committee on commerce, reported a bill, making an appropriation for the erection of a custom house in the city of New York, which was twice read and committed.

Mr. *Mercer*, from the committee on internal improvements, reported a bill to authorise a subscription to the stock of the Alexandria canal company; which was twice read; and the question being on its commitment,

Mr. *Potter*, moved to lay the bill on the table.

Mr. *Mercer*, called for the reading of the report of the committee on internal improvement which reported the bill. The clerk was about to read it, when

Mr. *Mercer*, earnestly intreated the gentleman from North Carolina to withdraw his motion, and thus save the time of the house and the money of the nation.

Mr. *Potter* said, that, yielding to the advice of his friends around him, he would withdraw his motion to lay the bill on the table. When the bill granting a charter to the company was before the house, at the last session, it was generally understood, that if the company obtained the charter, they would not ask congress for a subscription to their stock.

Mr. *Mercer*, stated that the gentleman was under a misapprehension. The individuals who advocated the granting of a charter had no power to pledge the company that they would not ask congress to subscribe to the stock of that company. He assured the gentleman that there was no pledge, and he felt convinced that, if the gentleman would read the report of the committee on the subject, and had no constitutional objections to the measure proposed, he would unite with the friends of the bill in procuring its passage.

The bill was then committed.

On motion of Mr. *Johnson*, of Kentucky, it was

Resolved, That the house will, on Wednesday next, at twelve o'clock, proceed to the election of a printer to the house of representatives for the twenty-second congress.

On motion of Mr. *Sill*, it was

Resolved, That the committee on internal improvement be instructed to inquire into the expediency of making an appropriation for the improvement of the navigation of the Alleghany river.

The house, on motion of Mr. *Speight*, resolved itself into a committee of the whole, Mr. *Cambreleng* in the chair; and, on motion of Mr. *Haynes*, proceeded to the senate to attend the further trial of judge Peck before the high court of impeachment. Having returned, the chairman reported, that the committee, in pursuance of the order of the house, had attended the trial of judge Peck; and, that the senate had pronounced judgment in the case, and, by a vote of twenty-two to twenty-one, had refused to sustain the impeachment perferred by the house: and that the court had adjourned *sine die*.

The amendments of the senate to the bill to ascertain and mark the line between the state of Alabama and territory of Florida, and for other purposes; were referred to the committee on the public lands.

The bill from the senate, "to authorise the transportation of merchandise, by land and water, with the privilege of debenture," was read the third time and passed.

The bill from the senate, "to compensate the witnesses, and for other expenses attending the trial of judge Peck," was read the third time and passed.

The bill from the senate, "to amend the act entitled an act to quiet the titles of certain purchasers of lands between the lines of Ludlow and Roberts, in the state of Ohio," was read the third time and passed.

The house then proceeded to the consideration of the motion made on the 6th instant, to reconsider the vote on the question, "Shall the bill to authorise a change in the disposal of the land granted for the construction of the Illinois and Michigan canal, be engrossed and read a third time."

A debate ensued, and it was finally determined in the negative by the following vote—ayes 82—nays 109.

The house then took up the bill for the relief of James Monroe—the question being on concurring with the committee of the whole in striking out the enacting clause. Mr. *Mercer* explained his views—when a discussion ensued, in which several gentlemen took part. After it had concluded, the question was taken, when the motion was negatived by the following vote—yeas 80, nays 109.

Mr. *Mercer* then moved to strike out all after the enacting clause of the bill, and insert the amendment which he had before read. Pending which motion,

Mr. *Williams* moved an adjournment.

Mr. *Davis*, of Massachusetts, hoped the gentleman would withdraw the motion for one minute, to enable him to ask leave of absence for his colleague, Mr. *Corham*, for ten days.

Mr. *Williams* consenting, leave was granted, as requested,

And then the house adjourned till twelve o'clock tomorrow.

Tuesday, Feb. 1. On motion of Mr. *Speight* the following resolution was taken up and agreed to.

Resolved, That the secretary of war inform this house whether or not it is expected to erect fortifications at or near Ocracock Inlet, with a view to the more permanent security of that section of North Carolina, in case of invasion.

The following resolution, offered by Mr. *Boon*, was taken up and agreed to:

Resolved, That the secretary of war be directed to lay before this house any information in his possession relating to the survey of the Wabash river, and the probable cost of removing the obstructions to the navigation of the same, below the termination of the contemplated canal, to connect the navigable points of the waters of the Wabash river, with those of the Ohio.

On motion of Mr. *Washington*, the house adopted a resolution authorising the clerk of the house to cause 30 cords of wood to be given to the poor of Georgetown.

On the motion of Mr. *Whittlesey*, it was

Resolved, That the committee of commerce be instructed to inquire into the expediency of constructing a pier head to the pier at Cunningham's Cradle, and beacon lights at the harbors constructed on Lake Erie, in the state of Ohio, and into the expediency of surveying the mouths of Chagrin river, and that the report of the secretary of war and of the secretary of the treasury, referred at the last session of congress, be again referred to said committee.

Mr. *Norton* offered the following resolution, which lies one day on the table:

Resolved, That the secretary of war be instructed to transmit to this house the survey and estimate of Silver creek harbor, in the county of Chatauque, and state of New York, made and submitted to that department by Meier Maurace, in the fall of 1829.

Mr. *Draper* offered the following resolution:

Resolved, That the committee on the judiciary be directed to inquire into the expediency of defining by *statute* all offences which may be punished as contempts of the courts of the United States.

Mr. *Draper* explained his object. He wished to understand the tenure on which the people of this country held their liberty. He wished to know whether, if he, as a member of this house, entered the newspapers to assert an opinion, it was not competent for any other person to come into the same forum, on equal ground, to show the incorrectness of that opinion. That this was the right of all he contended, and the object of his resolution was to put the right beyond the reach of doubt or dispute.

He declaimed any intention to impugn the conduct of the individual who had been on his trial before the high court of impeachment. Very far from such was his intention: but although that individual had been legally discharged, he did not know any reason why the law should not be altered or defined.

Mr. *Doddridge* suggested a modification of the resolution as modified, to insert the words 'and also to limit the punishment of the same' which was agreed to.

The resolution was then adopted.

The house then resumed the consideration for the relief of *James Monroe*.

The question being on the amendment of Mr. *Mercer*, to strike out the original words "and substitute provisions that the claim be referred for settlement of the accounting officers of the treasury," &c.

Mr. *Williams* moved to amend the amendment, so as to compel the accounting officers to report the grounds of their decision to congress for its final action. A debate ensued. Mr. *Williams'* amendment was agreed to. Mr. *Hemphill*, then moved another amendment, giving $36,000 to Mr. Monroe—this amendment was declared not in order. Before the house finally disposed of the bill, a motion to adjourn was made and agreed to.

Wednesday, Feb. 2. Mr. *Reed* presented the petition of merchants, manufacturers and others, inhabitants of Wareham, Massachusetts, praying an allowance of drawback on the exportation of nails made from imported irons.

Several private memorials and petitions were presented, as also others from claimants under the treaty of Denmark.

Mr. *Loyall* presented the memorial of Miles King, late navy agent at Norfolk, praying to be paid a balance due him. Petitions from Vermont, Massachusetts, and Pennsylvania, praying the repeal of the Indian bill, were presented.

Mr. *Irvin*, of Ohio, reported a bill for the sale of lands in the state of Illinois, reserved for the use of the salt springs on Vermillion river, which was read by special order and ordered to be engrossed for a third reading.

The bill for the encouragement of the cultivation of the vine and the olive, was reported, and made the order of the day for Wednesday next.

Several bills of a private nature were reported and referred.

The bill to repeal the charges on passports and clearances, was reported, twice read and ordered for a third reading to-morrow.

Mr. *McDuffie* reported a bill to authorise the proper accounting officers of the treasury department to accredit the account of the treasurer of the United States with the amount of certain unavailable funds; which was twice read, and ordered to be engrossed for a third reading to-morrow.

The house proceeded to the election of a printer to the 22d congress.

Mr. *Johnson*, of Kentucky, nominated Duff Green.

Mr. *Huntington* nominated Gales & Seaton.

Mr. *Forward* nominated Wm. Greer; he stated that he was a practical printer, unconnected with any newspaper establishment, and, in addition, he was an original Jackson man.

Mr. *Johnson* said he was sorry that the gentleman from Pennsylvania had departed from the usual course on making nominations, and had proceeded to eulogize his candidate. If such a course was requisite, as much could be said in favor of other individuals.

Mr. *Doddridge* nominated Way & Gideon, and stated that they were not connected with any public print.

Messrs. *Johnson*, *Huntington*, *Forward* and *Doddridge*, were appointed tellers.

The ballots being counted, it appeared that 206 ballots had been given.

Duff Green received	108
Gales & Seaton	76
William Greer	16
Way & Gideon	1
Scattering	3
Blanks	2

So Duff Green was declared to be duly elected printer to the house for the twenty-second congress.

The bill for the relief of James Monroe was taken up, and the amendment of Mr. *Hemphill* modified and agreed to—but before the question of ordering the bill to a third reading was decided, the house adjourned.

Thursday, Feb. 3. Mr. *Mallary*, from the committee on manufactures, reported the following bill:

"*Be it enacted* &c. That so much of an act, entitled 'An act to reduce the duty on salt,' approved May 29, 1830, as will take effect on and after the 31st of December next, be, and the same is hereby repealed: and that the duty on salt imported into the United States, be and remain at fifteen cents per bushel."

A long report accompanied the bill.

The bill having been read the first time, Mr. *Lamar* moved its rejection. He was supported by Mr. *Tucker*. Mr. *Mallary* opposed the proposition, and Messrs. *Speight*, *Tucker* and *Tomlinson*, of Georgia, spoke at some length. Mr. *Lamar* withdrew his motion to reject the bill. Mr. *Chilton* renewed it. Before the question was settled "the hour" expired.

The bill for the relief of James Monroe was ordered to a third reading, by yeas and nays—105 to 92.

The matter of striking out such part of the appropriation bill as relates to the salary of the minister to Russia, came up. Mr. *Chilton*, entitled to the floor, declined addressing the house. Mr. *Polk* demanded the previous question, but the call was not sustained. Mr. *Burgess* then addressed the house till its adjournment.

[Particulars hereafter.—A line of room is not left.]

TARIFF AND MANUFACTURES.

VIEWS OF THE MINORITY.

Mr. *Monell* submitted the following

REPORT:

A minority of the committee on manufactures, to which was referred so much of the president's message as relates to the tariff of duties on imports, and so much thereof as respects manufactures, not concurring in the whole matter or manner of the report preferred by the majority, beg leave to submit their views in a separate report:

With the president we fully concur in the opinion that there is great cause for congratulation in the practical operation of the tariff, proving, as it conclusively does, that the injuries to our commercial interests, so confidently predicted by its opponents, have not been realised.

With the president we also concur in the constitutionality of an adjustment of impost duties with a view to the protection of our own agriculture and manufactures. It would be difficult to frame a more direct, convincing, and conclusive argument on that point, than is presented in the message.

That the present tariff is defective in some of its details, we have the concurrent testimony of almost all who have written or spoken upon the subject during its

discussion, and since its last modification. In his message to congress at the opening of December session, in 1828, president Adams remarked:

"The tariff of the last session was, in its details, not acceptable to the great interests of the union; not even to the interest which it was specially intended to subserve. Its object was to balance the burdens on native industry imposed by the operation of foreign laws, but not to aggravate the burdens of one section of the union by the relief afforded to another. To the great principle sanctioned in that act, one of those upon which the constitution itself was framed, I hope and trust the authorities of the union will adhere. But if any of the duties imposed by the act only relieve the manufacturer by aggravating the burdens of the planter, let a careful revisal of its provisions, enlightened by the practical experience of its effects, be directed to retain these which impart protection to native industry, and remove or supply the place of those which only alleviate one national interest by the depression of another."

During the progress of the bill in congress, a distinguished friend of domestic industry from Vermont vainly attempted to amend it, and declared that "the manufacture of the coarse fabric (woollens), is ruined at a blow. Just as we are about to realise what the friends of the American policy have foretold that American skill, industry, and enterprise, could accomplish, to make them subservient to some fancied benefit, we offer them up as a sacrifice to our enemies."

A friend of the protecting system from Massachusetts observed: "He was himself a wool grower, and was firmly of the belief that the bill was utterly destructive to that class of men; that it put the knife to the jugular vein of every sheep in the country, and that its effects would be equally destructive to the interests of the manufacturers."

A friend to the protecting policy from Maine, speaking the language of many others, said: "This explains to us why it is that those very manufacturers and their agents who poured into the house petitions, beseeching that we would sustain their sinking establishments, now come here with remonstrances, conjuring us to save them from the tender mercies of this measure. It shows us, too, why the bill is condemned by the fast friends of domestic manufactures, and, among many others, by those champions of the American System, the veteran Niles and Carey."

"It is said that the proposed duty on coarse wool, which we now import from the Mediterranean and South America, is to benefit the agriculturist; it is certainly a great injury to the manufacturers and the consumers."

"While this stinted measure of protection is thus dealt out to the woollens, unexampled duties are proposed on other articles."

"This bill tends to oppress our navigation, and to destroy the markets for some of our productions."

"This bill greatly increases the expenses of shipbuilding."

"This bill must powerfully aid and advance the colonial policy of Great Britain."

"Every manufacture in Maine, which this measure reaches, it injures and destroys."

"This bill, in its effects, co-operates with British policy. That favors the introduction of iron and hemp for their vessels; this taxes them for ours."

"If the question could be proposed to the British parliament, they would pass this bill for us by acclamation: and should we, of this committee, adopt it in its present form, a British statesman might well say that we deserved a pension from his royal master."

To the authority of Mr. Adams and his cabinet, anticipated by the discussion of the present tariff before congress, might be added that of almost every friend of the protecting policy in the United States.

On this point, therefore, the president concurs with president Adams and his cabinet, with the manufacturers themselves, and with all intelligent men.

We concur with the president in the opinion, that those who dare not attempt to improve the tariff and correct its imperfections, do injustice to the American people and to their representatives. The people wish their representatives to *do right;* nor will they consider it a sufficient excuse that they feared to do *good* lest evil might come. Such a plea will not be deemed very consistent with any valuable creed of political faith or code of good morals. Evil will never come out of good.—The representative who does right need not fear to meet his constituents. He only need fear and tremble, who, thinking right, seeing the evils of an existing system, and knowing it to be injurious and unjust in some of its details, shall, when called to account before his constituents, say, in his defence, *I feared to trust myself and my colleagues in an attempt to do right, lest we should do wrong.*

We felicitate the country that such is not the character of the president or his message. He advances boldly to his point. He does not fear to do right, lest he may do wrong. Fortified by honesty of purpose and patriotic devotion, he has full confidence that the people will sustain him in all his efforts to reform abuses and correct errors in our various systems of law and administration. He does but justice to the American people when he says, "my confidence is entire, that, to secure such modification of the tariff as the general interest requires, it is only necessary that the interest should be understood."

With the president, we think it probable that the reduced price of produce, raw materials, manufactured articles, and lands, is attributable, in some degree, to a reduction in the supply of the precious metals. That the products of the mines in Spanish America have been less within the last twenty years than they were in the twenty preceding, will not, we presume, be doubted. So far from diminishing, the demand for the precious metals has increased with the increase of civilized population, and the extension of commerce. It was, therefore, natural that their value should increase. Undoubtedly the establishment of extensive manufactories in America, and the improvements in machinery, have tended to reduce the general price of manufactured articles; but the same cause, had it operated separately, would, in this country, have increased the price of lands and agricultural products. Has such been the result? No; lands and agricultural products have declined in price almost as much as manufactured articles. The cause of this decline is not our tariff; it is something "deeper and more pervading." It is difficult to account for it in any other way than as the effect of an appreciation of gold and silver.

We are aware that money seems to be abundant in our commercial cities, and that it can be borrowed at a low rate of interest. This is not the effect of an increased supply of the precious metals, but of a stagnation of trade and business. So low are the products of commerce, of manufactures, and of agriculture, that rich men find no inducements to vest their capital in those pursuits. Money, therefore, accumulates upon their hands, and they are willing to lend it out, well secured, upon a moderate interest. But were a general war in Europe, or any change in the affairs of nations, to furnish a market for our agricultural productions and revive our trade, the lending of money at a low interest would instantly cease, and, with the increased demand, apparent scarcity would succeed to apparent abundance.

Having asserted the constitutionality of a tariff adjusted with a view to protection, the president gives, with characteristic point and clearness, his views of its policy. We quote his language:

"While the chief object of duties should be revenue, they may be so adjusted as to encourage manufactures. In this adjustment, however, it is the duty of the government to be guided by the general good. Objects of national importance alone ought to be protected: of these, the products of our soil, our mines, and our workshops, essential to national defence, occupy the first rank. Whatever other species of domestic industry, having the importance to which I have referred, may be expected, after temporary protection, to compete with foreign labor on equal terms, merit the same attention in a subordinate degree."

A tariff adjusted on these principles, we are sure, would meet the wishes of *all real friends of domestic industry* and of the interests of the country.

"Objects of national importance alone ought to be protected." It would be absurd to say that the "nation-

al importance" of an article depended on the generality of its production. Lead is found but in two or three states in the union; yet who will deny its national importance? Perhaps powder is not made in half a dozen states: yet who will deny its national importance? There are not, probably, a dozen cannon founderies in the union; yet who will deny their "national importance?" If iron were made in only one state, would any man think of denying its "national importance?" To say that the president recommends the protection of only such articles as are produced or manufactured in all or most of the states, is to do violence to his language and evident meaning. Every thing of general necessity or general use, whether it be of general production or not, is an object of "national importance," and evidently embraced in the views of the president.

"Of these," he says, "the productions of our soil, our mines, our workshops, essential to national defence, occupy the first rank." We presume all the friends of domestic industry, *and of our country's safety;* will concur with the president in this sentiment. He speaks from the admonitions of experience. He has seen our brave militia called into the service of their country, and exposed to a ruthless invader, without arms, without ammunition, and almost without clothing. From want of means of defence, he has seen our cities exposed to plunder, and sections of our country to conquest. It would be unwise in our government not to provide against like dangers in future. "In peace prepare for war," is a maxim as true as it is trite. In the opinion of the president, it should be the first object in a protecting tariff.

But, it may be asked, what productions of our soil, our mines, and our workshops, are essential to our national defence? The president has not thought it necessary or proper to enter into a minute detail in his communication to congress. Doubtless he did not think it respectful to inform congress that iron, lead, cannon, muskets, bullets, powder, soldiers' and sailors' clothing, ships, with their canvass and tackle, are articles essential to national defence. It was fair to presume that the experience, knowledge, and sagacity of congress were competent to fill up the list of these articles, without encumbering his message with details. We know that with their accompaniments and component parts, embracing coarse woollens, hats, and shoes, they constitute that class of articles which he says are entitled to the first rank in a tariff of protection.

"Other species of industry" of a national importance, which, "after temporary protection," can compete with foreign labor on equal terms, merit the same attention in a subordinate degree.

We are at no loss to understand the president, nor do we hesitate to concur with him in the sentiment expressed. To produce the manufacture in our own country of all articles of general use among our citizens, and enable us to purchase them as cheap or cheaper than we can obtain them from abroad, is one of the chief objects of the tariff, and its most deservedly boasted effect. To attain an object so desirable, the president thinks a temporary tax on the imported article not unjust or improper. That a temporary protection will, in some branches of manufacture, produce this result, we have the evidence of facts. India cottons, it is stated, were formerly sold in the United States at *twenty-five* cents per yard. A better fabric is now made in the United States, and sold at *eight* cents. Although the price of such cottons has much declined in India, yet the decline has fallen so far short of that in the United States, that our cottons now enter into successful competition with them in the markets of the very countries where they are manufactured. Our cottons successfully compete with the British cottons, also, in all countries where they are permitted to enter on equal terms, and, it is affirmed, might be sold in England itself at a profit, if they could be admitted free of duty. By a temporary protection, therefore, our cotton manufactories have been established, and brought to such perfection that they successfully compete with foreign establishments, wherever they can meet them on equal terms.

If they can compete with foreign manufactures in the markets of other countries loaded with freights and commissions, could they not maintain themselves without protection in our markets? How does our tariff enable our manufacturers to undersell the India fabric in the India market? How does it enable them to undersell the British in the Levant and South America? It is obvious that the tariff can effect present prices only in our own market. It does not affect the price of coarse cottons, even at home, for competition has so reduced it, that they can be bought at a less price in the United States than India cottons can in India. If the tariff were now abolished, these goods would continue to monopolise our own market, and compete with foreign fabrics in the markets of the world.

That India cottons would not again be seen in our markets is proved by the fact that our cottons are sold at a profit in the markets of that country. India cottons formerly sold at *twenty-five cents.* If the duty were taken off, they might probably be afforded in our market at *twelve cents.* Our own cottons of a better quality sell for *eight.* Who would buy the India cottons at twelve, when he could get our own and better at *eight?*

Nails are another article which domestic competition has reduced in price, so that in some cases we believe the whole cost does not now equal the duty.

The manufactures of hats, shoes and cabinet ware, have, from the protection they have received, and the skill and industry of our manufacturers, attained such a force as to defy foreign competition. Those branches of our agriculture which produce cotton, wheat, beef, pork and butter, though they may have required protection in their infancy, have outstripped all protection, furnish the cheapest and most abundant supply, and have acquired a vigor which defies foreign competition, and "counteracts the most selfish and destructive policy of foreign nations."

Many other articles might be enumerated, but these are sufficient to illustrate the views of the president.—Temporary encouragement has been afforded. These "species of domestic industry" have been enabled "to compete with foreign labor on equal terms." The tariff upon those articles has ceased to be a tax; for they can be purchased lower in our own than in foreign markets, and their importation has either ceased or is fast diminishing.

In whatever cases the same effect can be produced, the president thinks, and we think, that the same means of protection should be employed. But if there be no hope of so establishing in this country a species of culture or manufacture that it will eventually be able "to compete with foreign labor on equal terms," to that a tariff of protection ought not to be applied. He would be esteemed a madman who should by a tariff endeavor to establish in this country the culture of tea, pepper, pimento, cinnamon, Peruvian bark, and many other products not adapted to our soil and climate, or to the habits of our people. There are species of manufactures which partake of the same character. A heavy duty upon them is an useless tax upon the consumer. It produces no present, and promises no prospective, good. Unless the proceeds be required for revenue, it ought not to be imposed.

As specimens of interests embraced in the present tariff, too minute and local to merit protection, we may name marble, capers, olives, figs, &c.; and as specimens of manufactures it attempts to force, for which the country is not ripe, we mention silks, worsted stuff goods, merino shawls, &c.

We fully concur with the president in the opinion, that "the best as well as the fairest mode of determining whether, from any just considerations, a particular interest ought to receive protection, would be to submit the question singly for deliberation." We have not so little confidence in the people or their representatives as to believe that an appeal to local or individual interests is necessary to induce them to do what the general interest requires. If a single interest were presented, they would weigh the benefits and injuries which its protection might produce to the general interests of the country, and decide without the bias of local or selfish considerations. If, in their opinion, the general good required its protection, they would grant it. If, on the contrary, the injury would counterbalance the benefits, they would refuse it.

It is inconceivable to us, how it can be made a general benefit to protect a combination of interests, each of which taken separately, it would be injurious to protect. If it be injurious to protect each singly, the mass of injury is increased more rapidly than the benefits by their combination.

Suppose that Massachusetts has an interest which she wishes protected, but, after due consideration, it is the opinion of congress that it will produce twice the harm that it will good. It is evident that her wishes ought not to be gratified.

New York has an interest which she presents for protection; but it is decided that the general injury of such a measure will be three times as great as the general good. Of course she ought not to be gratified.

Virginia presents an interest for protection: but it is the opinion of congress, that, in the general scale, such a measure will do five times as much harm as good. It is evident that the measure proposed by her ought not to be adopted.

Now can these three measures become useful and proper by combining them together? Will not that of Massachusetts still be twice as injurious as it is beneficial; that of New York three times, and that of Virginia five times? Will not the injury of the combination be to the benefits as *ten* to *three*? Extend the same principle to ten states—twenty states—all the states. It is impossible that the combination of twenty-four bad measures can produce a good measure. As soon should we look to the concentration of all the vices to make a good man.

We, therefore, concede the justice of the rule laid down by the president. It is worthy of the mind whence it comes—a mind which marches straight to its object, and seeks by no subterfuge to deceive the people, or evade responsibility. Its observance would promote purity of motive and justice of action in all our legislative acts.

We concur with the president in the opinion that the chief object of impost duties is revenue, and that their adjustment so as to protect manufactures is an incidental or secondary power. To lay duties for the *sole* purpose of protecting domestic industry, would be an anomaly in government. What would be done with the money collected? If our national debt were paid, and we had no use for money in the concerns of government, there would now be an accumulation in the treasury to the amount of twenty-four millions annually. If the *sole* object of the duty is to protect domestic industry, that object is accomplished when the money is paid into the treasury. Shall it be hid in the earth, sunk in the ocean, given to government favorites, or distributed among the manufacturers?

We do not believe the people of the United States will consent to pay twenty-four millions, nor ten millions, nor five millions, for the *sole* purpose of protecting manufactures. If they perceive that the money raised by protecting duties is not devoted to useful and honest purposes, they will demand their reduction or repeal.

We, therefore, concur with the president in the opinion that the duties on articles constituting a portion of the necessaries and comforts of life should be reduced or entirely repealed. A more certain means of preserving the *protecting* duties could not be recommended. What interest has any portion of our manufacturers or agriculturists in preserving the duties on tea, coffee, cocoa, pepper, cinnamon, or any other foreign products or manufactures which do not come into competition with the fruits of their own labor? The duties on those articles yield no protection, but they produce a considerable amount of revenue. They will continue to do so after the national debt shall be extinguished. Is it not better for the labor of the country that the amount of these duties should be levied upon other articles, that come into competition with domestic products? If they continue to be levied upon these articles, they will diminish, as they do now, the amount collected from articles the manufacture or growth of which in our own country needs the encouragement of a protecting tariff.

To us nothing is plainer than that it is the interest of the true friends of a protecting tariff to repeal *every* duty which has no *protective effect*. The whole revenue of the country would then be adjusted upon imports, with a view to the protection of domestic industry. With a reduced revenue, the protection will then be more efficient than it is now; and there will be no danger of a ruinous reaction after the payment of the national debt.

The admonitions of the president are the voice of wisdom. Take off the duties on the necessaries and comforts of life, and correct the abuses of the tariff. Adjust the whole revenues of the country on such imported manufactures and produce as compete with our own domestic labor: then will protection be confined to its legitimate objects, the system of protecting duties will be identified with the revenue system of the country, and cannot be shaken.

Most sincerely do we accord with the president in the sentiment, "that our deliberations on this interesting subject should be uninfluenced by those partisan conflicts that are incident to free institutions." "To make this great question, which unhappily so much divides and excites the public mind, subservient to the short sighted views of faction, must destroy all hope of settling it satisfactorily to the great body of the people, and for the general interest. I cannot, therefore," says he, "on taking leave of the subject, too earnestly for my own feelings or the common good, warn you against the blighting influence of such a course."

It is not too much to say that from faction has the tariff derived most of its bad features; and it is faction only which endangers its good. Its provisions have been arranged too little with a regard to equality, justice, and the public good, and too much with reference to effect on political elections; satisfactory to nobody, injurious to many, and to some, as they allege, fatal. Members of congress, fearing they should not be able to obtain a tariff at that time, did not think proper to vote against it, lest such an act might have a sinister influence on the election to the presidency of a political favorite. Some, too, voted for it, believing that, in a season of more tranquility, its errors would be corrected, and its defects supplied. Now, men dare not attempt to correct, or even acknowledge, imperfections and errors which they once condemn, lest they should impair its force as a political weapon.

Is this a safe basis on which to rest an essential branch of our domestic policy, involving one or two hundred millions of dollars, and the regular pursuits of many thousands of our citizens? Are these immense interests to be cast upon the waves of party strife, and rise and sink with the success or defeat of a particular candidate for the presidency? Those who have an agency in producing a result so disastrous will have much to answer for to an injured people. They attempt to put to hazard the whole protecting system upon the doubtful result of an election. They destroy all certainty in this branch of our domestic policy, and fill those who have property embarked in manufactures with anxiety and alarm. Worse than the most desperate gamblers, they put to stake, not their own money, but the property, the pursuits, the means of subsistence, of tens of thousands of their fellow-citizens. They force men engaged in quiet occupation to embark in contests of party strife, as a means of promoting their private interests. They encourage, by theory and practice, a spirit of gaming in all the affairs of society, which will exhibit its deleterious effects, not on the broad theatre of the nation alone, but in states, towns, and corporations—hazarding public and private interests in struggles to gratify personal ambition. They destroy the efficiency of the tariff as a means of retaliating the selfish policy of foreign nations. Perceiving that our government is actuated by no settled policy, and that its measures are adopted and rescinded with the alternate success of contending parties, instead of being brought to concession by the effect of our counteracting legislation upon their essential interests, they will await, and perhaps, promote, a change of party, as a certain means of obtaining a change of policy. Our country will thus become powerless in its means of retaliation, if not the scene of foreign intrigue and corruption. Finally, they destroy the respect of the people for the tariff, and lead them to consider it, not as a permanent and essential interest of the country, but merely as a weapon of party warfare, to be shivered and

struck from the hand of a political opponent, or consigned to the fate which awaits its advocates in defeat.

It has too often been the fate of good measures, in a republic, to be seized on by aspiring demagogues as a means of accomplishing their selfish purposes. Caring nothing for the public interests, and regarding only their self aggrandizement, by professions of extraordinary zeal, they have been enabled to assume the station of leaders. To maintain that position, and attain the prize of their ambition, they outstrip all the honest and prudent advocates of true policy, and push every popular measure to excess. Borne on the tide of public feeling, before their hypocricy is discovered, they have sometimes been able to force themselves into the citadel of power. The successful examples of unprincipled ambition in other ages and countries may in our own inspire a hope of success by the use of the same means, in men of like habits and fortune.

Nothing can be so fatal to the true and lasting interests of manufactures, or any other essential interest of our country, as the intemperate and hypocritical support of such men: and yet, in the progress of our history, these great interests may justly dread their fatal friendships. Without indulging in any invidious anticipations, we may expect that, as in other countries, so in this, from among such men a leader may appear; with eloquent harangues and artful appeals, he may scatter delusions and lead reason captive; he may induce them to think that a high tariff on articles which we cannot, as well as those which we can produce, and an unrelenting persecution of all who oppose it, constitute the true policy of the republic; and that he alone, placed at the head of the government, can give it practical effect. In his grasp after power, he may seize upon every measure that appeals to the personal interests and sectional feelings of men, and rally around him a party pledged to sustain in its then condition the tariff or any other measure, though deemed oppressive by many, and imperfect by all. He may denounce prudence and moderation in its support as hostility to the system, and stigmatise as traitors those whom he and his partisans may have studiously excited to violent opposition. He may denounce as hostility to the tariff all opposition to himself, and endeavor to force the community to consider the fate of the protecting policy as identified with his own. When such a leader and such a party shall appear, it will be the duty of wisdom and patriotism, and the interests of all honest men, to resist their machinations.

Do not all manufacturers see what, in such a case, would be the probable result of identifying themselves and their great interests with the ever varying fortunes of party, the intemperate zeal of faction, and the madness of ambition? Do they not see that they must lose the confidence and support of many honest citizens? In such an alliance, must not their interests fall with the faction to whose merciless care they shall have confided them? and will they place their establishments, their interests, their all, in the hands of political gamblers as a stake?

The history of the past, indeed, assures us that the demagogue will never be without his instruments. These, too, for the benefit of their patron, and hope of future favor at his hands, are ready to convert the dearest interests of their country into footballs of party contention, and hazard the property and pursuits of their fellow-citizens in struggles for power. But it is sincerely hoped they may never find their way into congress. Here let us hope that all men will bring and retain an honest and a fearless heart to serve the public, and never so far forego their duty as to become the instruments of unchastened ambition—to rally at his watchword, set at nought the reasonable complaints of any portion of our fellow-citizens, refuse to amend defective laws, cast the essential interests of their country on the waves of party, and sneer at the counsels of age, the admonitions of experience, and the expostulations of patriotism.

But, if, unfortunately for the interests of the republic, and for none more so than the interests of home industry, such a leader as we have alluded to, should, by the aid of such partisans in congress, be placed in the presidential chair, what may the country expect? It may expect every corruption to be nourished, and every abuse to be cherished. It may expect a defective tariff to be made worse. Pledged, as he may be to maintain *it as it is*, the country may expect protection to be *refused* to any interest to which our growth and improvement may require it should be extended. Instead of *protection*, it may expect *taxation*. It may expect its exactions to be increased by countless millions, and the moneys to be expended in rewarding followers, purchasing friends, pensioning dependents, and in efforts to buy over states and neighborhoods, by special favors, to the support of his re-election, or the election of a designated successor. It may expect, in the end, that here, as in other countries where ambition rules, taxation will be made to reach every article of food and clothing, lands, houses, fuel, hearths, the light of heaven itself.

In return for these miseries, it may expect splendid projects and magnificent structures, honored and adorned by the gilded equipages of the rich; with the state governments annihilated, property concentrated in the hands of a few; and the great mass of the people oppressed, poor, starving, desperate and rebellious.

These mischiefs may be attempted, but we fear no such disastrous results. To save the tariff from all risks is our earnest desire. This we are convinced, can only be done by rescuing it from the custody of demagogues and partizans; correcting its errors, amending its imperfections, and appealing to the good sense and justice of the community to give it a generous support. But if the prudent counsels of the chief who has saved his country in war, and is honestly seeking to promote her interests and preserve her institutions in peace, are to be unheeded or derided, and if there are men who are determined not to correct any of the admitted errors of the tariff, to tax unnecessarily high the necessaries and comforts of life, and make it a party question, with them rests the responsibility, and on their heads be the consequences. With our venerable president, we will struggle to maintain all that is valuable in the present tariff of protection and extend its benefits. But should the manufacturers and working men find themselves overwhelmed and ruined by a reaction of public opinion, which shall sweep away as well all that is good as all that is bad in the protecting system, they will inquire who it was that, by pertinaciously adhering to acknowledged error, defending admitted imperfections, insisting on unnecessary exactions, and hazarding all in a struggle for power, brought upon them irretrievable ruin. The counsels of age and experience will then be received with other feelings than derision; and the nostrums of quack politicians, too prejudiced to listen to truth, or too factious to regard it, will be remembered only with abhorrence.

We cannot better conclude than by repeating the warnings of the chief magistrate.

"*That our deliberations on this interesting subject should be uninfluenced by those partizan conflicts that are incident to free institutions, is the fervent wish of my heart. To make this great question, which unhappily so much divides and excites the public mind, subservient to the short-sighted views of faction, must destroy all hope of settling it satisfactorily to the great body of the people, and for the general interest. I cannot, therefore, on taking leave of the subject, too earnestly for my own feelings or the common good, warn you against the blighting consequences of such a course.*"

REPORT UPON THE JUDICIARY.

Mr. *Davis*, of South Carolina, from the committee on the judiciary, to which the subject had been referred, made the following

REPORT:

The committee on the judiciary to which was referred a resolution instructing that committee to inquire into the expediency of repealing or modifying the twenty-fifth section of an act, entitled "an act to establish the judicial courts of the United States," passed in Sept. 1789, report:

That the committee, profoundly impressed with the importance of the matter referred to their consideration, have bestowed upon it that deliberation it so eminently required; and the investigation has resulted in a solemn conviction that the twenty-fifth section of an act of congress, entitled "an act to establish the judicial courts of the United States," passed in September, 1789, is unconstitutional, and ought to be repealed.

The reasons that have induced this opinion the committee will now present for the consideration of the house.

The declaration of independence, the treaty of peace with Great Britain, and the articles of confederation, all announce to the world that the states of the confederacy were free, sovereign, and independent states, and that they had a right to make treaties, form alliances, and to do any other acts that any independent sovereignty could do. In the character of sovereign states, the old confederation and the present federal government were alike formed and established. The defects of the old confederation, which rendered necessary the existing federal government, were its inability to coerce a state to contribute its quota of supplies to the general treasury, and its want of adequate power to manage, conduct, and control our commercial and foreign relations.

It was perceived in the convention that framed the constitution, that a federal judiciary was indispensably necessary as a co-ordinate department of the contemplated government; and the convention, accordingly, by the following clauses of that instrument, created such a department, and invested it with powers therein specified.

ARTICLE III.

"*Sec.* 1.—The *judicial power* of the United States *shall* be vested in one supreme court, and such other inferior courts as congress may, from time to time, *ordain* and *establish*. The judges both of the supreme and *inferior* courts shall hold their offices during *good behavior*, and shall, at stated times, receive for their services a compensation, which shall not be diminished during their continuance in office.

"*Sec.* 2.—The judicial power shall extend to all *cases* arising under this constitution, the laws of the United States, and treaties made, or which shall be made under their authority; to all cases affecting ambassadors, other public ministers, and consuls, to all cases of admiralty and maritime jurisdiction; to controversies to which the United States shall be a party; to controversies between two or more states; between a state and the citizens of another state; between citizens of different states; between citizens of the same state, claiming lands under grants of different states, and between a state, or the citizens thereof, and foreign states, citizens, or subjects.

"In all cases affecting ambassadors, other public ministers and consuls, and those in which a state shall be a party, the supreme court shall have original jurisdiction. In all other cases before mentioned, the supreme court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations, as the congress shall make."

AMENDMENT—ARTICLE XI.

"The judicial power of the United States shall not be construed to extend to any suit, in law or equity, commenced or prosecuted against one of the United States by citizens of another state, or by citizens or subjects of any foreign state."

The twenty-fifth section of the act to establish the judicial courts of the United States, is in these words.

"SECTION XXV.

"A final judgment or decree in any suit, in the highest court of law or equity of a state in which a decision in a suit could be had, or where is drawn in question the validity of a treaty, or statute of, or an authority exercised under, the United States, and the decision is against their validity; or where is drawn in question the validity; of a statute of, or an authority exercised under, the United States, and the decision is against their validity; or where is drawn in question the validity of a statute of, or an authority exercised under, any state, on the ground of their being repugnant to the constitution, treaties, or laws of the United States, and the decision is in favor of such their validity; or where is drawn in question the construction of any clause of the constitution, or of a treaty or statute of, or commission held under, the United States, and the decision is against the title, right, privilege, or exemption, especially set up or claimed by either party, under such clause of the said constitution, treaty, statute, or commission, may be re-examined and reversed or affirmed in the supreme court of the United States, upon a writ of error, the citation being signed by the chief justice or judge or chancellor of the court rendering or passing the judgment or decree complained of, or by a justice of the supreme court of the United States, in the same manner and under the same regulations, and the writ shall have the same effect, as if the judgment or decree complained of had been rendered or passed in a circuit court; and the proceedings upon the revisal shall, also, be the same, except that the supreme court, instead of remanding the cause for a final decision, as before provided, may, at their discretion if the cause shall have been once remanded before, proceed to a final decision of the same, and award execution. But no error shall be assigned as a ground of reversal in any such case as aforesaid, than such as appears on the face of the record, and immediately respects the before mentioned questions of validity or construction of the said constitution, treaties, statutes, commissions, or authorities in dispute."

In the above mentioned sections, congress gives the power of a direct appeal from a state court, to the supreme court of the United States; but in the opinion of the committee, the constitution of the United States gives the right of appeal only from such inferior courts, as congress shall from time to time ordain and establish. If this opinion be wrong, then has the supreme court a supervisory and controlling power over twenty-four sovereign states. Before entering into a particular comparison of the above section of the judicial act of 1789, with the first and second section of the third article of the constitution of the United States, the committee beg leave to make a few preliminary remarks, (which it is hoped will not be deemed impertinent to the matter referred), on the peculiar character and structure of our complex system of government.

The most universally received maxim in the theory of political liberty since the establishment of American independence, is, that the people alone have the right, either directly or by representative conventions, to make or alter their constitutions or forms of government, and that the government can do neither. To preserve a government thus formed, the division and distribution of its powers into separate departments has also been as universally admitted to be the best security. If the government, or any department of it, be allowed to change or alter the constitution, the essential and vital principle of *theoretical* liberty, as established here, with all its securities, must inevitably be destroyed.

This great maxim ought, therefore, to be vindicated, whenever violated. It has never, it is true, been contended that the supreme court of the United States, or congress, or both powers together, can alter the form of the federal government; but if the power claimed for the supreme court be submitted to, and the twenty-fifth section of the judicial act be continued as a part of the judicial system of the United States, that court will have the power, without any possible check, to encroach upon the other political departments of the government.

Much difficulty and embarrassment, in discussing questions of political powers and rights, arises from blending and confounding terms usually employed in expressing and describing political laws and judgments. A proper understanding of the distinction between them will always enable us to detect any attempt of the government, or any department in it, to alter or change the constitution. Political law is made by the *people*, to restrain *government*, civil law is made by the *government*, to restrain *individuals*. The former is a rule of action for the governing; the latter a rule of action for the governed.

The supreme court virtually claims the right, under the constitution, to pronounce *political* judgments, and asserts the power, under the judicial act, of carrying them into execution, by coercing sovereign states. The committee readily admit that there is great difficulty in distinguishing between *political* laws and judgments, and *civil* laws and judgments, in most of the governments of the world, but confidently believe that it was foreseen and provided for by the framers of the federal constitution, by the division and limitations of power we find there, between the federal and state governments. None deny that such a division of powers was made by the constitution, between the federal government and the states, by the grant of specific powers to the former, and the reservation of all ungranted powers to the latter; but a great diversity of opinion has existed as to the power to which resort must be had to determine questions and

controversies that might arise between the several departments of our federative system. The question is not a new one. In the great political contest in 1798 and 1799, this very question made a distinction, and marked the line of division between the two parties that then divided the country. The federal party, who were then in power, asserted, that the federal court, (which had just then declared and enforced as constitutional, the alien and sedition laws), was the tribunal of last resort established by the constitution, to judge of and determine questions of controversy between the departments of the federal government, and between the federal government and the states. The republican, or state rights party of that day; on the contrary, denied that the judicial department of the federal government, or all the departments of that government conjointly, were empowered to decide finally and authoritatively, in questions of sovereignty, *controversies* between a state and the federal government, and asserted and insisted that there was no common tribunal established by the constitution for such a purpose, and that, consequently, each party had the right to judge of and determine the extent of its own rights and powers. The avowed political creed of the party was, that the union was the result of a compact between the people of the several states, in their sovereign and corporate capacities and characters of separate and independent societies or states, and not as one consolidated people forming one nation. That these were the opinions and principles of the republican party of that day, is abundantly proven by Mr. Jefferson, Mr. Madison, and many other able constitutional lawyers.

The committee do not mention the names of these distinguished men for the purpose merely of using their opinions as authority for the principles they advocate, but to establish the fact that the great body of the American people did pass upon, sanction and adopt these principles, as forming the true theory of our government, which was manifested by the promulgation of these statesmen to the very stations where these principles were to be tested by action and practice. It is now a matter of unquestioned history, that Mr. Jefferson penned the memorable resolutions commonly called the Kentucky resolutions, and that Mr. Madison wrote the Virginia report, the committee feel entitled to quote them as authority upon questions of constitutional law.

Kentucky resolutions, passed November 16th, 1798.

"*Resolved*, That the several states composing the United States of America, are not united on the principle of unlimited submission to the general government: but that, by compact, under the style and title of a constitution for the U. States, and of amendments thereto, they constituted a general government for special purposes, delegated to that government certain definite powers, reserving, each state to itself, the residuary mass of right to their own self-government; and that whensoever the general government assumes undelegated powers, its acts are unauthoritative, void, and of no force; that to this compact each state acceded as a state, and is an integral party; that this government, created by this compact, was not made the exclusive or final judge of the extent of the powers delegated to itself, since that would have made its discretion, and not the constitution, the measure of its powers, but that, as in all other cases of compact among parties having no common judge, each party has an equal right to judge for itself, as well of infractions as of the mode and measure of redress."

The committee beg leave to add the following extract from the same illustrious source:

"That the states of North America, which confederated to establish their independence on the government of Great Britain, became, on that acquisition, free and independent states, and, as such, authorised to constitute governments, each for itself, in such form as it thought best.

"They declared in their second article of their first confederated government, that 'each state retains its sovereignty, freedom and independence, and every power, jurisdiction and right, which is not, by this confederacy, expressly delegated to the United States in congress assembled.' They afterwards entered into a compact, which is called the constitution of the United States of America, by which they agreed to unite in a single government, as to their relations with each other, and with foreign nations, and as to certain other articles particularly specified. They retained, at the same time, each to itself, the other rights of independent government, comprehending, mainly, their domestic interests.

"For the administration of their federal branch, they agreed to appoint, in conjunction, a distinct set of functionaries, legislative, executive and judiciary, in the manner settled in that compact, while to each, severally, and of course, remained its original right of appointing, each for itself, a separate set of functionaries, legislative, executive, and judiciary, also, for administering the domestic branch of their respective governments.

"These two sets of officers, each independent of the other, constitute thus a whole of government, for each state separately—the powers ascribed to the one, as specifically made federal, exercised over the whole—the residuary powers, retained for the other, exerciseable exclusively over its particular state—foreign, herein, each to the others, as they were before the original compact."

That this is the true exposition of the powers and authorities of the federal and state governments, is manifested from the guarded limitation and definition of the grants of power in the compact itself, and by the contemporary explanations and comments which the constitution underwent, which justified and recommended it, on the ground that its powers were given to government for specified purposes. But to leave no doubt on the subject, the powers of the constitution expressly declare, that the powers not delegated to the United States by the constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people.

The committee do not mean to affirm that the delegated powers of the federal government, or the compact of government to which our constitutions refer, is limited by the plain sense and intention of the instrument constituting that compact and to which the people of the several states have assented and given effect by their several conventions; but they do affirm, that if the powers granted be valid, it is solely because they are granted, and all other powers not granted, are not valid.

Resting on the foundation of the principles aforesaid, by the undeniable principle and expositions, the committee cannot perceive any grant of power in the constitution to authorize the enactment.

That the constitution does not confer power on the federal judiciary over the judicial departments of the states, by any express grant, is certain from the fact that the state judiciaries are not once named in that instrument. On the contrary, it declares that the judicial power of the United States shall be vested in one supreme court, and in such inferior courts as congress may, from time to time, ordain and establish; thus giving power to organise a judicial system capable of exercising every function to which the judicial power of the United States extended, "and intending to create a new judiciary, to exercise the judicial powers of a new government," unconnected with, and independent of, the state judiciaries*

It is no more necessary to the harmonious action of the federal and state governments, that the federal courts should have power to control the decisions of state courts by appeal, than that the federal legislature should have power to control the legislation of the states, or the federal executive a state executive, by a negative. It cannot be, that when a direct negative on the laws of a state was proposed in convention, as part of the federal constitution, and rejected, that it was intended to confer on the federal courts, by implication, a power subjecting their whole legislation, and their judgments and decrees on it, to this negative of the federal courts. It cannot be, that this prostration of the independency of the state judicatories, this overthrow of the state governments as co-ordinate powers, could be left to any implication of authority.

The committee are, therefore of opinion, that the power to enact the 25th section above recited, is not expressed in the constitution of the United States, nor

*Mr. Madison.

properly an incident to any express power, and necessary to its execution. That, if continued and acquiesced in as construed by the supreme court, it raises the decision of the judiciary above the authority of the sovereign parties to the constitution, may be a warrant for the assumption of powers not delegated in the other departments, nor carried by the forms of the constitution before the judicial department, and whose decisions would be equally authoritative and final with the decisions of that department.

However, therefore, it may be admitted or denied, that the judicial department of the federal government is, in all questions submitted to it by the forms of the constitution, to decide in the last resort in relation to the authorities of the other departments of that government, it can never be authorised so to decide in relation to the rights of the parties to the constitutional compact, from which the judicial, as well as the other departments, hold their delegated trusts; on any other hypothesis, the delegation of judicial power would annul the power delegating it, and the concurrence of this department in usurped powers might subvert forever, and beyond the possible reach of any rightful remedy, the very constitution which all were instituted to preserve.*

"The authority of constitutions over governments, and the sovereignty of the people over constitutions, are truths at all times necessary to be kept in mind," * and it is matter of regret to the committee, that it should ever have been asserted, that the constitution, on whose face is seen so much labor to enumerate and define the several objects of federal power, could intend to introduce in the lump, in an indirect manner, and by a forced construction, the vast and multiform jurisdiction involved in the section of the law under consideration—a jurisdiction overshadowing the entire field of state legislation and adjudication—a jurisdiction that sweeps the foundation of the constitution, as a system of limited and specified powers—obliterates the sovereignty of the many republics, renowned for their defiance of tyranny, and whose jealous limitation of power had preserved their liberty and secured for them a prosperity the wonder and admiration of the world.

Nor are the committee unmindful that, in practice, this disputed power has given rise to painful collisions in the state and federal authorities calculated to disturb the harmony of our system and to weaken that confidence and affection, which are due to the respective governments in the constitutional exercise of all their functions.

The committee will only add one more extract from Mr. Jefferson, which is to be found in a second series of resolutions adopted by the legislature of Kentucky, the 14th Nov. 1799:

"That if those who administer the general government be permitted to transgress the limits fixed by the compact, by a total disregard to the special delegations of power therein contained, an annihilation of the state governments, and the erection upon their ruins of a general consolidated government, will be the inevitable consequence: that the principle and construction contended for by sundry of the state legislatures, that the general government is the exclusive judge of the extent of the powers delegated to it, stop nothing short of despotism, since the discretion of those who administer the government and not the constitution, would be the measure of their powers: that the several states who formed that instrument, being sovereign and independent, have the unquestionable right to judge of its infraction: and that a nullification by those sovereignties, of all unauthorised acts done under color of that instrument, is the rightful remedy."

The committee will now proceed to examine the provisions of the 25th section, and compare them with the powers of the federal court, as conferred by the constitution of the United States; and then submit for the consideration of the house two judicial decisions of the highest respectability, declaring the said 25th section unconstitutional:

The whole judicial power of the United States is declared by the constitution to be vested in one supreme court, and in such inferior courts as congress shall, from time to time, ordain and establish. Can congress, by legislation, invest state courts with any portion of that power? Did the convention contemplate, in using the term appellate jurisdiction, the right and power of taking an appeal from a state court to the supreme court? The answer to these questions must be found in the constitution. The supreme court is given original jurisdiction only in two classes of cases, to wit: in all cases affecting ambassadors, other public ministers, and consuls, and those in which a state shall be a party. The only cases in which a state can be party are, 1st where the controversy is between two or more states; and 2d, where the controversy is between a state, or the citizens thereof, and foreign states. In all other cases, *before mentioned*, says the constitution, the supreme court shall have appellate jurisdiction. What courts have the original jurisdiction in all those cases *before mentioned* in the second section of the third article, of which the supreme court has only the appellate jurisdiction? Let the constitution answer: in "such inferior courts as *congress* shall, from time to time, ordain and establish." Is a state court an inferior court? the constitution does not say so. If the framers of the constitution had so considered them, and had intended the right and power of taking an appeal from their judgments to the supreme courts, it was no easy matter, and they doubtless would have said so: their omitting to do so, is proof irresistible that the power was not intended to be given. It is unreasonable to believe that they who were so very precise and specific in the enumeration of cases and powers of infinitely less moment, would have left to implication and inference a power that breaks down all the barriers between the state and federal governments.

The constitution not only invests the whole *judicial power of the United States* in two specified tribunals, but also prescribes and declares the duties, and rights, and tenure of office of the judges who shall constitute them; not one of which is applicable to the courts or judges of state courts. The courts, in the first place, must be such as are *established by congress;* the judges must receive their appointments from the president, with the consent of the senate; they are told to hold their offices during good behavior; their compensation cannot be diminished during their continuance in office; and are only liable to be impeached and removed from office by the senate of the U. S. Such are the courts and judges that the constitution invested with the jurisdiction of all "other cases beforementioned" in the second section of the third article of that instrument, with the exception of two classes of cases over which original jurisdiction is given to the supreme court. Not one of all these requisites characterise state courts or judges. The state courts are not established by congress; the state judges do not receive their appointments from the president, by and with the advice and consent of the senate; they hold their offices not necessarily during good behavior, but by such tenure as the states shall choose, their compensation may be diminished at the pleasure of the states; and they are not responsible to, or liable to be impeached before the senate of the United States.

The committee are aware, that, since the able and unanswerable arguments on the twenty-fifth section in the supreme court of Virginia, the advocates of federal power have assumed the position that the right of appeal is claimed for the federal court on the ground that the case arises under the laws, treaties, and constitution of the United States, and not on the ground that the state tribunal is an inferior one, from which a writ of error would lie. The natural result of this will be, that, if the position be true, it will prove too much. If the *nature* of the *case* be the only ground of jurisdiction, will it not authorise the supreme court to issue a citation or writ of error to a court of England or France, on the pretext that some one of the questions arose under a treaty of the United States? A judicial tribunal of one of those places is not more independent of the federal court than is a state court, if the character of the case be the only criterion or authority for federal jurisdiction. Will it be said that the right of jurisdiction is limited by the power to enforce the mandates of the court? This being admitted, will not vary the result of the present question. The federal courts have the same right to issue a man-

*Mr. Madison.

damus, prohibition, or process of contempt, to a foreign judge. If the nature of the case can give jurisdiction, as it has to a state judge, it has also precisely the same power to execute it. If the right existed in the first case to issue and to execute process, the supreme court would virtually be invested with the power of declaring war; if in the latter case, that court will have the power to blot out from the map any state of the union. If the right to issue a mandatory process to the legislative, executive, and judicial authorities of a state be admitted to belong to the federal court under the constitution, the correlative obligation on these authorities to obey, and the rightful power to enforce it, are obvious and necessary sequents. The federal court, under these admitted principles, will have the power to prohibit state legislation by writs of injunction; to sequestrate state treasuries, and to imprison state functionaries, whether governors, judges, or state legislatures, in a body. Indeed the power will not stop here; the same reasoning will sustain a power in the federal court to attach and imprison the president and both houses of congress. The power by citation or writ of error, to take a case after judgment, from a state court, and to remove it, for final determination, to the supreme federal court, is a much greater outrage on the fundamental principles of theoretical and practical liberty, as established here, than the odious writ of *quo warranto*, as it was used in England by a tyrannical king to destroy the rights of corporations. The end and aim in both cases were similar; in England it was to make corporations subservient to the kingly pleasure; here, to make states subservient to federal extravagance and aggrandizement.

The last arguments used by the advocates of federal power is, that the action of the federal government will be so crippled by the repeal of the twenty-fifth section of the act of '89, that its wholesome operations will be arrested. Although the committee will not acknowledge that such would be the necessary consequence, yet it may be admitted for the sake of argument, without changing the result.

The committee believe that it is the imperative duty of congress to repeal, without delay, any of its acts in contravention of the constitution, be the consequences what they may. If congress had no power to pass such laws, they are null and void, and ought not to remain on the statute book; if such be really necessary, the power that created the constitution can and will amend it. Necessity and expediency are the pleas of the tyrant; amendment the dictate of the constitution. By pursuing the former course, we trample upon the constitution; by following the latter we go back to the people, the original source of all power.

It has also been urged as a branch of this argument, that the 25th section is indispensable to that supremacy of the federal court, which is required to preserve the peace of the country with foreign powers, and to render uniform all judgments in treaty cases. The answer to these objections, to the repeal of the 25th section, the committee believe to be full and perfect in the case of Hunter *vs.* Martin, and prefer presenting it in the language of the able judge who delivered it:

"I have said that this controlling power was not essential to preserve the peace of the nation.* Without going to other considerations or authorities on the subject, it is sufficient to remark that the American people have decided that it is no cause of offence to foreign nations, to have their causes decided, and exclusively and finally decided by the state tribunals. In that amendment to the constitution, by which the jurisdiction of the federal courts is prohibited to suits brought against the states by foreign citizens or subjects, this construction is most undoubted, and has never been complained of.

"Since the adoption of that amendment, the election of jurisdiction has been entirely taken away from foreigners in all suits against the states; and those suits can now be brought in the states' courts in exclusion of every other; and that, too, in cases, in which, from the circumstances of the states themselves being parties, it might, perhaps, be plausibly urged that the judges of the state courts were not free from bias. I consider that this declaration by the American people, and which has never excited a murmur in foreign nations, has put down the notion now in question. It has settled the question forever, that it is no cause of war to foreign nations, that the state judiciaries should finally decide the causes, elected to be brought therein, by their subjects. It has consequently overthrown the only foundation on which the whole superstructure of the twenty-fifth section of the judicial act has been supposed to rest.

"That pretense is the only one on which the power in question could be attempted to be justified. That of rendering uniform all judgments in the case of treaties is still less tenable, and is even not attained by the actual provisions of the judicial act. Under that act, the appeal equally lies to the supreme court of the United States, where such uniformity already exists, and is denied where it is *wanting*. If for example the supreme court of the United States has decided against a treaty, and the supreme court of a state decides the same way, there this uniformity already exists, and yet the appeal is allowed. If, on the other hand, the former court decides against a treaty, and the latter in favor of it, this uniformity is wanting, yet the appeal is denied."

The following is the unanimous opinion of the supreme court of Virginia, in the above stated case.

"The court is unnaimously of opinion, that the appellate power of the supreme court of the United States, does not extend to this court, under a sound construction of the constitution of the United States; that so much of the 25th section of the act of congress, to establish the judicial power of the United States, as extends the appellate judicial power of the supreme court to this court, is not in pursuance of the constitution of the United States; and that the writ of error in this case was improvidently allowed under the authority of that act; that the proceedings thereon in the supreme court, were *coram non judicem* in relation to this court, and that obedience to its mandate be declined by this court."

The committee will present one more judicial opinion of a state court against the powers contended for by the supreme court of the United States.

The supreme court of the commonwealth of Pennsylvania, in the case of the commonwealth vs. Cobbet,* so lemnly and unanimously refused to permit the defendant, who was an alien, to remove a cause in which he was sued by the state in its supreme court, into a circuit court of the United States, notwithstanding the comprehensiveness of the words of the twelfth section of the judicial act. The court after deciding in the most explicit terms, that all power not granted to the government of the United States, remained with the several states, that the federal government was a league or treaty, made by the individual states as one party, and all the states as another; that when two nations differ as to the construction of a league or treaty existing between them; neither has the exclusive right to decide it; and that if one of the states should differ with the United States as to the extent of the grant made to them, there is no common umpire between them but the people by an amendment of the constitution; went on to declare its own opinion on the subject, and overruled the motion on the ground that the sovereign state of Pennsylvania could not, on account of its dignity, be carried before that court. This was the solemn and unanimous decision of the supreme court of one of the most respectable and republican states of the union.

The decisions of these tribunals, the committee consider of high authority and great weight; the judges who composed them were of exalted character, patriotism, learning and ability. They had taken the same oath imposed upon the federal judges to support the constitution of the United States together with the superadded obligation to maintain the constitutions of the states, whose judicial powers were confided to them.

The committee do not pretend to originality in the views and principles of this report; on the contrary they believe they could not better discharge their duty, or render a more acceptable service to the house than by presenting the authorities on which it is founded. Believing the section of the act referred to the consideration of the committee to be unconstitutional, they herewith report a bill to repeal the same.

*Hunter *vs.* Fairfax—4th Munford.

*3d. Dallas, 473.

COUNTER REPORT ON JUDICIARY.

HOUSE OF REPRESENTATIVES, JAN. 24.

The committee on the judiciary, to which was referred a resolution of the house of representatives of the 21st ultimo, instructing them "to inquire into the expediency of repealing or modifying the twenty-fifth section of an act entitled 'an act to establish the judicial courts of the United States,' passed 24th September, 1789," having made a report, accompanied by a bill to repeal the same, the minority of that committee, differing in opinion from their associates upon this important question, deem it to be their duty to submit to the house the following report:

The constitution of the United States has conferred upon congress certain enumerated powers, and expressly authorises that body "to make all laws which shall be necessary and proper for carrying these powers into execution." In the construction of this instrument, it has become an axiom, the truth of which cannot be controverted, that "the general government though limited as to its objects, is supreme with respect to those objects."

The constitution has also conferred upon the president, "by and with the advice and consent of the senate, provided two-thirds of the senators present concur," the power to make treaties.

By the second section of the 6th article of this instrument; it is declared in emphatic language, that this constitution, and the laws of the United States which shall be made in pursuance thereof, and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every state shall be bound thereby, any thing in the constitution or laws of any state to the contrary notwithstanding.

The constitution having conferred upon congress the power of legislation over certain objects, and upon the president and senate the power of making treaties with foreign nations, the next question which naturally presented itself to those who framed it was, in what manner it would be most proper that the constitution itself, and the laws and treaties made under its authority, should be carried into execution. They have decided this question in the following strong and comprehensive language: "The judicial power shall extend *to all cases*, in law and equity, arising under this constitution, the laws of the United States, and treaties made, or which shall be made, under their authority."—Article 3, section 2. This provision is the only one which could have been made in consistency with the character of the government established by the constitution. It would have been a strange anomaly had that instrument established a judiciary whose powers did not embrace all the laws and all the treaties made under its authority. The symmetry of the system would thus have been destroyed, and, in many cases congress would have had to depend exclusively for the execution of their own laws upon the judiciary of the states. This principle would have been at war with the spirit which pervades the whole constitution. It was clearly the intention of its framers to create a government which should have the power of construing and executing its own laws, without any obstruction from state authority. Accordingly, we find that the judicial power of the United States, extends, in express terms, "*to all cases*," in law and in equity, arising under the constitution, the laws and the treaties of the United States. This general language comprehends precisely what it ought to comprehend.

If the judicial power of the United States does thus extend to "*all cases*" arising under the constitution, the laws and treaties of the union, how could this power be brought into action over such cases without a law of congress investing the supreme court with the original and appellate jurisdiction embraced by the constitution?

It was the *imperious duty* of congress to make such a law, and it is equally its duty to continue it: indeed, without it, the judicial power of the United States is limited and restricted to such cases only as arise in the federal courts, and is never brought to bear upon numerous cases, evidently within its range.

When congress, in the year 1789, legislated upon this subject, they knew that the state courts would often be called upon, in the trial of causes, to give a construction to the constitution, the treaties and laws of the United States. What then was to be done? If the decisions of the state courts should be final, the constitution and laws of the union might be construed to mean one thing in one state, and another thing in another state.

All uniformity in their construction would thus be destroyed. Besides, we might, if this were the case, get into seirious conflicts with foreign nations, as a treaty might receive one construction in Pennsylvania, another in Virginia, and a third in New York. Some common and uniform standard of construction was absolutely necessary.

To remedy these and other inconveniences, the first congress of the United States, composed in a considerable proportion, of the framers of the constitution, passed the 25th section of the judicial act in September, 1789.

It is in the following language:

"SEC. 25. *And be it further enacted*, That a final judgment or decree in any suit, in the highest court of law or equity of a state, in which a decision in the suit could be had, where is drawn in question the validity of a treaty or statute of, or an authority exercised under, the United States, and the decision is against their validity; or where is drawn in question the validity of a statute of, or an authority exercised under, any state, on the ground of their being repugnant to the constitution, treaties or laws of the United States, and the decision is in favor of such their validity; or where is drawn in question the construction of any clause of the constitution, or of a treaty or statute of, or commission held under, the United States, and the decision is against the title, right, privilege, or exemption, specially set up or claimed by either party under such clause of the said constitution, treaty, statute, or commission, may be re-examined and reversed or affirmed in the supreme court of the United States, upon a writ of error, the citation being signed by the chief justice, or judge, or chancellor, of the court rendering or passing the judgment or decree complained of, or by a justice of the supreme court of the United States, in the same manner, and under the same regulations, and the writ shall have the same effect, as if the judgment or decree complained of had been rendered or passed in a circuit court; and the proceeding upon the reversal shall also be the same, except that the supreme court, instead of remanding the cause for a final decision, as before provided, may, at their discretion, if the cause shall have been once remanded before, proceed to a final decision of the same, and award execution. But no other error shall be assigned or regarded as a ground of reversal, in any such case as aforesaid, than such as appears on the face of the record, and immediately respects the beforementioned questions of validity, or construction of the said constitution, treaties, statutes, commissions, or authorities, in dispute."

This section embraces three classes of cases. The first, those in which a state court should decide a law or treaty of the United States to be void, either because it violated the constitution of the United States or for any other reason. Ought there not in such cases to be an appeal to the supreme court of the United States? Without such an appeal, the general government might be obliged to behold its own laws, and its solemn treaties annulled by the judiciary of every state in the union, without the power of redress.

The second class of cases is of a different character. It embraces those causes in which the validity of state laws is contested, upon the principle that they violate the constitution, the laws, or the treaties of the United States, and have, therefore, been enacted in opposition to the authority of the "supreme law of the land." Cases of this description have been of frequent occurrence. It has often been drawn into question before the state courts, whether state laws did or did not violate the constitution of the United States. Is it not then essential to the preservation of the general government, that the supreme court of the United States should possess the power of reviewing the judgments of state courts in all cases wherein they have established the validity of a state law, in opposition to the constitution and laws of the United States?

The third class differs essentially from each of the two first. In the cases embraced by it, neither the validity of acts of congress, nor of treaties, nor of state laws, is called in question. This clause of the 25th section merely confers upon the supreme court the appellate jurisdiction of construing the constitution, laws, and treaties of the United States, when their protection has been invoked by parties to suits before the state courts, and has been denied by their decision. Without the exercise of this power, in cases originating in the state courts, the constitution, laws, and treaties of the United States would be left to be finally construed and executed by a judicial power over which congress has no control.

This section does not interfere, either directly or indirectly, with the independence of the state courts, in finally deciding all cases arising exclusively under their own constitution and laws. It leaves them in the enjoyment of every power which they possessed before the adoption of the federal constitution. It merely declares, that, as that constitution established a new form of government, and consequently gave to the state courts the power of construing, in certain cases, the constitution, the laws, and the treaties of the United States, the supreme court of the United States should, to this limited extent, but not beyond it, possess the power of reviewing their judgments. The section itself declares that no other error shall be assigned or regarded as a ground of reversal in any such case aforesaid, than such as appears on the face of the record, *and immediately respects the before mentioned questions of validity or construction of the said constitution, treaties, statutes, commissions, or authorities in dispute.*

The minority of the committee will now proceed to advance, in a more distinct form, a few of the reasons why, in their opinion, the 25th section of this act ought not to be repealed.

And, in the first place, it ought to be the chief object of all governments to protect individual rights. In almost every case, involving a question before a state court under this section of the judiciary act, the constitution, laws, or treaties, of the United States are interposed for the protection of individuals. Does a citizen invoke the protection of an act of congress upon a trial before a state court, which decides that act to be unconstitutional and void, and renders judgment against him? this section secures his right of appeal from such a decision to the supreme court of the United States.

When a citizen, in a suit before a state court, contends that a state law, by which he is assailed, is a violation of the constitution of the United States, and therefore void, (if this plea should be overruled) he may bring this question before the supreme court of the United States.

In like manner, when an individual claims any right before a state court under the constitution or laws of the United States, and the decision is against his claim, he may appeal to the supreme court of the United States.

If this section were repealed, all these important individual rights would be forfeited.

The history of our country abundantly proves that individual states are liable to high excitements and strong prejudices. The judges of these states would be more or less than men if they did not participate in the feelings of the community by which they are surrounded. Under the influence of these excitements, individuals, whose rights happen to clash with the prevailing feeling of the state, would have but a slender hope of obtaining justice before a state tribunal. There would be the power and the influence of the state sovereignty on the one side, and an individual who had made himself obnoxious to popular odium on the other. In such cases, ought the liberty or the property of a citizen, so far as he claims the same under the constitution or laws of the United States, to be decided before a state court without an appeal to the supreme court of the United States, on whom the construction of this very constitution and these laws has been conferred, *in all cases* by the constitution.

The supreme court, considering the elevated character of its judges, and that they reside in parts of the union remote from each other, can never be liable to political excitements and local prejudices. To that tribunal our citizens can appeal with safety and with confidence, (as long as the 25th section of the judicial act shall remain upon the statute book) whenever they consider that their rights, under the constitution and laws of the United States, have been violated by a state court. Besides, should this section be repealed, it would produce a denial of equal justice to parties drawing in question the constitution, laws, or treaties of the United States. In civil actions, the plaintiff might then bring his action in a federal or state court, as he pleased, and as he thought he should be most likely to succeed; whilst the defendant would have no option, but must abide the consequences without the power of removing the cause from a state into a federal court, except in the single case of his being sued out of the district in which he resides; and this, although he might have a conclusive defence under the constitution and laws of the United States.

Another reason for preserving this section is, that, without it, there would be no uniformity in the construction and administration of the constitution, laws, and treaties of the United States. If the courts of twenty-four distinct sovereign states, each possess the power, in the last resort, of deciding upon the constitution and laws of the United States, their construction may be different in every state of the union. That act of congress which conforms to the constitution of the United States, and is valid, in the opinion of the supreme court of Georgia, may be a direct violation of the provisions of that instrument, and be void, in the judgment of the supreme court of South Carolina. A state law in Virginia might in this manner be declared constitutional, whilst the same law, if passed by the legislature of Pennsylvania, would be void. Nay, what would be still more absurd, a law or treaty of the United States with a foreign nation, admitted to be constitutionally made, might secure rights to the citizens of one state, which would be denied to those of another. Although the same constitution and laws govern the union, yet the rights acquired under them would vary with every degree of latitude. Surely the framers of the constitution would have left their work incomplete, had they established no common tribunal to decide its own construction, and that of the laws and treaties made under its authority. They are not liable to this charge, because they have given express power to the judiciary of the union over "all cases, in law and equity, arising under this constitution, the laws of the United States, and

treaties made, or which shall be made, under their authority."

The first congress of the United States have, to a considerable extent, carried this power into execution by the passage of the judicial act, and it contains no provision more important than the 25th section.

This section ought not to be repealed, because, in the opinion of the minority of the committee on the judiciary, its repeal would seriously endanger the existence of this union. The chief evil which existed under the old confederation, and which gave birth to the present constitution, was that the general government could not act directly upon the people, but only by requisition upon sovereign states. The consequence was, that the states either obeyed or disobeyed these requisitions, as they thought proper. The present constitution was intended to enable the government of the United States to act immediately upon the people of the states, and to carry its own laws into full execution, by virtue of its own authority. If this section were repealed, the general government would be deprived of the power, by means of its own judiciary, to give effect either to the constitution which called it into existence, or to the laws and treaties made under its authority. It would be compelled to submit, in many important cases, to the decisions of the state courts, and thus the very evil which the present constitution was intended to prevent would be entailed upon the people. The judiciary of the states might refuse to carry into effect the laws of the United States; and without that appeal to the supreme court which the 25th section authorizes, these laws would thus be entirely annulled, and could not be executed without a resort to force.

This position may be illustrated by a few striking examples. Suppose the legislature of one of the states believing the tariff laws to be unconstitutional, should determine that they ought not to be executed within its limits. They accordingly pass a law, imposing the severest penalties upon the collector and other custom house officers of the United States within their territory, if they should collect the duties on the importation of foreign merchandise. The collector proceeds to discharge the duties of his office under the laws of the United States, and he is condemned and punished before a state court for violating this state law. Repeal this section, and the decision of the state court would be final and conclusive; and any state could thus nullify any act of congress which she deemed to be unconstitutional.

The executive of one of the states, in a message to the legislature, has declared it to be his opinion, that the land belonging to the United States within her territory is now the property of the state, by virtue of her sovereign authority. Should the legislature be of the same opinion, and pass a law for the punishment of the land officers of the United States who should sell any of the public lands within her limits, this transfer of property might be virtually accomplished by the repeal of the 25th section of the judicial act. Our land officers might then be severely punished, and thus prohibited by the courts of that state from performing their duty under the laws of the union, without the possibility of redress in any constitutional or legal form. In this manner, the title of the United States to a vast domain, which has cost the nation many millions, and which justly belongs to the people of the several states, would be defeated or greatly impaired.

Another illustration might be introduced. Suppose the legislature of Pennsylvania, being of opinion that the charter of the bank of the United States is unconstitutional, were to declare it to be a nuisance, and inflict penalties upon all its officers for making discounts or receiving deposites. Should the courts of that state carry such a law into effect, without the 25th section there would be no appeal from their decision; and the legislature and courts of a single state might thus prostrate an institution established under the constitution and laws of the United States.

In all such cases, redress can now be peaceably obtained in the ordinary administration of justice. A writ of error issues from the supreme court, which finally decides the question whether the act of congress was constitutional or not; and if they determine in the affirmative, the judgment of the state court is reversed. The laws are thus substituted instead of arms and the states kept within their proper orbits by the judicial authority. But if no such appeal existed, then, upon the occurrence of cases of this character, the general government would be compelled to determine whether the union should be dissolved, or whether there should be a recurrence to force—an awful alternative, which we trust may never be presented. We will not attempt further to portray the evils which might result from the abandonment of the present judicial system. They will strike every reflecting mind.

It has of late years been contended, that this section of the judicial act was unconstitutional, and that congress do not possess the power of investing the supreme court with appellate jurisdiction in any case which has been finally decided in the courts of the states. It has also been contended, that, even if they do possess this power, it does not extend to cases in which a state is a party. On this branch of the question, we would refer the house to the very able and conclusive argument of the supreme court of the United States in the cases of Martin *vs.* Hunter's lessee, (1st Wheaton, 304), and Cohens *vs.* the state of Virginia, (6 Wheaton, 264), by which the affirmative of these propositions is clearly established. It may be proper, however, that we should make a few observations upon this part of the question. Those who have argued in favor of these positions, assert that the general words of the constitution, extending the judicial power of the union "to all cases, in law and equity," arising under the constitution and laws of the United States, ought, by construction, to be restricted to such cases, in law and equity, as may originate in the courts of the union. They would thus establish a limitation at war with the letter, and, in our opinion, equally at war with the spirit of the instrument. Had such been the intention of the framers of the constitution, they well knew in what language to express that intention. Had it been their purpose to restrict the meaning of the general language which they had used in the first clause of the section, they could have done so with much propriety in the second. This clause, after providing "that, in all cases affecting ambassadors, other public ministers, and consuls, and those in which a state shall be a party, the supreme court shall have original jurisdiction," proceeds to declare "that, in all the other cases before mentioned, the supreme court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations, as the congress shall make." On the supposition contended for, it is wholly unaccountable that the framers of the constitution did not limit the natural effect of the words used in the first clause, by making the second to read "that, in all the other cases before mentioned," *arising in the inferior courts of the United States*, "the supreme court shall have appellate jurisdiction." But no such restriction exists; and, from the fair import of the words used in both clauses, the supreme court possess the power of finally deciding "all cases, in law and equity," arising under the constitution, the laws, and the treaties of the United States, no matter whether they may have originated in a federal or in a state court, and no matter whether States or individuals be the parties.

But it is not our intention to enter into a protracted constitutional argument upon the present occasion, because this question has long since been put at rest, if any constitutional question can ever be considered as settled in this country. The federalist, which is now considered a text book in regard to the construction of the constitution, and deservedly so, as well from the great merit of the work as the high character of its authors, is clear and explicit on this subject. After reasoning upon it at some length, the author of the 83d number of that production arrives at the following conclusion: "To confine, therefore, the general expressions which gave appellate jurisdiction to the supreme court to appeals from the subordinate federal courts, instead of allowing their extension to the state courts, would be to abridge the latitude of the terms, in subversion of the intent, contrary to every sound rule of interpretation."

The federalist, it will be recollected, was written between the formation of the constitution and its adoption by the states. Immediately after its adoption, congress, by passing the 25th section of the judicial act, now sought to be repealed, fully confirmed this construction. This appellate jurisdiction has ever since been exercised by the supreme court in a great variety of cases; and we are not aware that the constitutionality of its exercise has ever been questioned by the decision of any state court, except in a single instance, which did not occur until the year 1815. And even in that case, (Hunter *vs.* Fairfax) the judgment of the supreme court was carried into effect according to the existing law, without endangering the peace of the country.

The last topic to which we would advert, is the claim which has been set up to exempt the judgments obtained by the states of this union, before their own courts, in civil and criminal suits, prosecuted in their name, from being reviewed by the supreme court of the United States upon a writ of error. Much stress has been laid by those who sustain this claim, upon the general proposition, that a sovereign independent state cannot be sued, except by its own consent. But does this proposition apply, in its extent, to the states of this union? That is the question for discussion.

We have in this country an authority much higher than that of sovereign states. It is the authority of the sovereign people of each state. In their state conventions they ratified the constitution of the United States; and so far as that constitution has deprived the states of any of the attributes of sovereignty, they are bound by it, because such was the will of the people. The constitution thus called into existence by the will of the people of the several states, has declared *itself*, and the laws and treaties which should emanate from its authority, to be "the supreme law of the land;" and the judges in every state shall be bound thereby, any thing in the constitution or laws of any state to the contrary notwithstanding.

Why, then, should a state, who has obtained a judgment in her own courts against an individual in violation of this "supreme law of the land," be protected from having her judgment reversed by the supreme court of the United States? Is there any reason, either in the constitution, or in natural justice, why judgments obtained by a state in her own courts should be held sacred, notwithstanding they violated the constitution and laws of the union, which would not apply, at least with equal force, in favor of individual plaintiffs? The constitution subjects to the review of the supreme court all cases, in law or equity, arising under itself or the laws of the union. It excepts no case bearing this character.—Whether the party be a state or an individual, all must alike bow to the sovereign will of the people, expressed in the constitution of the United States.

In suits brought by a state against an individual in her own courts, there is much greater danger of oppression, considering the relative power and influence of the parties, than there would be in controversies between individuals. And are these to be the only cases selected, in which the citizen shall not be permitted to protect himself by the constitution and laws of the union before the supreme court of the United States? Is it not sufficient that, under the constitution, the states cannot be sued as defendants, without adding to this, by a strained and unnatural construction, the additional privilege, that the judgments which they may obtain as plaintiffs or prosecutors before their own courts, whether right or wrong, shall in all cases be irreversible?

We will not repeat the considerations which have been already urged to prove that, unless this provision of the constitution applies to the states, the rights of individuals will be sacrificed, all uniformity of decision abandoned, and each one of the states will have it in her power to set the constitution and laws of the United States at defiance.

The eleventh amendment to the constitution of the United States interferes in no respect with the principles for which we have contended. It is in these words: "The judicial power of the United States shall not be construed to extend to any suit, in law or equity, commenced or prosecuted against one of the United States by citizens of another state, or by citizens or subjects of any foreign state."

Chief justice Marshall, in delivering the opinion of the court in the case of Cohens *vs.* Virginia, has given so clear, and, in our opinion, so correct an exposition of the true construction of the amendment, that we shall, in conclusion, present to the house a few extracts from that opinion, instead of any argument of our own. He says that "the first impression made on the mind by this amendment, is, that it was intended for those cases, and for those only, in which some demand against a state is made by an individual in the courts of the union. If we consider the causes to which it is to be traced, we are conducted to the same conclusion. A general interest might well be felt, in leaving to a state the full power of consulting its convenience in the adjustment of its debts, or of other claims upon it; but no interest could be felt in so changing the relation between the whole and its parts, as to strip the government of the means of protecting, by the instrumentality of its courts, the constitution and laws from active violation. The words of the amendment appear to the court to justify and require this construction."

"To commence a suit, is to demand something by the institution of process in a court of justice; and to prosecute the suit, is, according to the common acceptation of language, to continue that demand. By a suit commenced by an individual against a state, we should understand a process sued out by that individual against the state, for the purpose of establishing some claim against it by the judgment of a court; and the prosecution of that suit is its continuance. Whatever may be the stages of its progress, the actor is still the same. Suits had been commenced in the supreme court against some of the states before the amendment was introduced into congress, and others might be commenced before it should be adopted by the state legislatures, and might be depending at the time of its adoption. The object of the amendment was not only to prevent the commencement of future suits, but to arrest the prosecution of those which might be commenced when this article should form a part of the constitution. It, therefore, embraces both objects; and its meaning is, that the judicial power shall not be construed to extend to any suit which may be com-

menced, or which, if already commenced, may be prosecuted against a state, by the citizens of another state. If a suit, brought in one court, and carried by legal process to a supervising court, be a continuation of the same suit, then this suit is not commenced nor prosecuted against a state. It is clearly, in its commencement, the suit of a state against an individual, which suit is transferred to this court, not for the purpose of asserting any claim against the state, but for the purpose of asserting a constitutional defence against a claim made by a state."

"Under the judiciary act, the effect of a writ of error is simply to bring the record into court, and submit the judgment of the inferior tribunal to re-examination. It does not, in any manner, act upon the parties; it acts only on the record. It removes the record into the supervising tribunal. Where, then, a state obtains a judgment against an individual, and the court rendering such judgment, overrules a defence set up under the constitution or laws of the United States, the transfer of this record into the supreme court, for the sole purpose of inquiring whether the judgment violates the constitution or laws of the United States, can with no propriety, we think, be denominated a suit commenced or prosecuted against the state, whose judgment is so far re-examined. Nothing is demanded from the state. No claim against it, of any description, is asserted or prosecuted. The party is not to be restored to the possession of any thing. Essentially, it is an appeal on a single point; and the defendant who appeals from a judgment rendered against him, is never said to commence or prosecute a suit against the plaintiff who has obtained the judgment. The writ of error is given rather than an appeal, because it is the more usual mode of removing suits at common law; and because, perhaps, it is more technically proper, where a single point of law, and not the whole case, is to be re-examined. But an appeal might be given, and might be so regulated as to effect every purpose of a writ of error. The mode of removal is form, not substance. Whether it be by a writ of error or appeal, no claim is asserted, no demand is made, by the original defendant; he only asserts the constitutional right to have his defence examined by that tribunal whose province it is to construe the constitution and laws of the Union."

"The only part of the proceeding which is in any manner personal, is the citation. And what is the citation? It is simply notice to the opposite party that the record is transferred into another court, where he may appear, or decline to appear, as his judgment or inclination may determine. As the party who has obtained a judgment is out of court, and may, therefore, not know that his cause is removed, common justice requires that notice of the fact should be given him; but this notice is not a suit, nor has it the effect of process. If the party does not choose to appear, he cannot be brought into court, nor is his failure to appear considered as a default. Judgment cannot be given against him for his non-appearance, but the judgment is to be re-examined, and reversed or affirmed, in like manner as if the party had appeared and argued his cause."

"The point of view in which this writ of error, with its citation, has been considered uniformly in the courts of the union, has been well illustrated by a reference to the course of this court in suits instituted by the United States. The universally received opinion is, that no suit can be commenced or prosecuted against the United States; that the judiciary act does not authorise such suits; yet writs of error, accompanied with citations, have uniformly issued for the removal of judgments in favor of the United States into a superior court, where they have, like those in favor of an individual, been re-examined, and affirmed or reversed. It has never been suggested that such writ of error was a suit against the United States, and therefore not within the jurisdiction of the appellate court."

"It is, then, the opinion of the court, that the defendant who removes a judgment rendered against him by a state court into this court, for the purpose of re-examining the question whether that judgment be in violation of the constitution or laws of the United States, does not commence or prosecute a suit against the state, whatever may be its opinion, where the effect of the writ may be to restore the party to the possession of a thing which he demands."

All which is respectfully submitted.

JAMES BUCHANAN,
WM. W. ELLSWORTH,
E. D. WHITE.

STATE RIGHTS.

The clerk of the house of delegates of the state of Maryland, delivered the following message:

By the house of delegates, January 24th, 1831.

Gentlemen of the senate:

We have received your message, accompanied by a communication from the executive, submitting to your honorable body the memorial of a number of citizens of this state, complaining of certain obstructions to the navigation of the Susquehanna river, supposed to have been made by authority of the government of the state of Pennsylvania.

Regarding the subject as one of peculiar importance, we propose, with your concurrence, the appointment of a joint committee, to take the memorial into consideration, and report such measures for the adoption of the legislature as they shall think the occasion requires.

The committee appointed by this house are, Messrs. Nicholas, Lee, Chapman, Tilghman and Spence.

By order, G. G. BREWER, Clk.

The senate concurred in the proposition, and named on their part Messrs. Heath, Spencer, and Herbert.

The following is the report of the joint committee—

In the Senate, Mr. Heath, from the joint committee to which was referred the memorials of sundry citizens of this state relative to obstructions in the river Susquehanna, submitted the following report; which was read and ordered to be printed.

The joint committee to which was referred the memorials of sundry citizens of this state, relating to certain artificial obstructions in the river Susquehannah—beg leave to submit the following preamble and resolutions upon the subject, and respectfully recommend their adoption.

Whereas it has been represented to this general assembly, by the memorial of divers citizens of this state, interested in the navigation of the river Susquehannah, that the state of Pennsylvania has caused to be erected in and across the bed of said river, certain dams, which greatly increase the peril, and impede the navigation thereof, and in consequence of said dams, the descending trade of said river has been greatly diminished, and must eventually be lost to the citizens of this state: And whereas in support of the representations so made, it appears by a printed copy of the annual report of the canal commissioners of the state of Pennsylvania, made to the legislature of the said state, and other evidence, that three dams have been erected across the said river, the one at a place called Duncan's island, another at a place called the Shamokin, and the third at or near a place called Nanticoke, which dams are not less than eight feet above the natural bed of the river, and constructed of timber and masses of solid masonry, and effectually prevent the descent of boats and arks down said river, except by the passing

through the chute or sluice made in one side of each of said dams, which chute or sluice is at all times dangerous, and has already occasioned great losses to those who have attempted the passage of them; and by said dams the ascending navigation is wholly destroyed:—And, whereas the river Susquehannah, from the earliest settlement of the country, has been used by the inhabitants of its borders, for the convenient transportation to market of the products of their industry, and for the transportation from the seaboard to the interior, of such articles as the situation of its people rendered convenient and necessary: And whereas, the inhabitants of the soil bordering on navigable rivers, have a right to the free and unobstructed use of such rivers, for the purposes afore said, and such principle has been sanctioned by the enlightened judgment of mankind, and has been strengthened by the union under one government of these states: And whereas the maintenance of this principle is necessary, to the convenient commercial intercourse between the different states--is calculated to develope the resources, and increase the wealth and the power of said states, and to promote the happiness of their respective citizens, and to bind those states indissolubly together, under our present happy form of government—And whereas the constitution of the United States has secured to the citizens of each state, all the privileges and immunities of citizens in the several states, and hath expressly prohibited the passage of any law by the legislature of a state impairing the obligations of contracts: And whereas by an act of the legislature of Maryland, passed at November session 1799, to incorporate a company, to make a canal from the river Delaware to the Chesapeake bay, it was declared that the said act, should be of no force or effect, until a law should be passed by the state of Pennsylvania, declaring the river Susquehannah a public highway, and authorising individuals or bodies corporate to remove any obstructions therein, at a period not exceeding three years, from the first day of march, in the year eighteen hundred. And whereas, the state of Pennsylvania in the year 1801, did also pass an act to incorporate the said company, and in compliance with the condition precedent contained in the law of Maryland, expressly enact and declare, "*that the river* Susquehannah down to the Maryland line, shall be, and the same is hereby declared to be, a public highway, any act or law of this commonwealth to the contrary notwithstanding, and it shall and may be lawful for the Chesapeake and Delaware canal company, or any other body corporate, or individuals, to remove all natural and artificial obstructions therefrom:" And whereas in consequence of the act passed by the legislature of Pennsylvania as aforesaid, the legislature of Maryland pursuing the same friendly and liberal course, that has at all times characterised the conduct of this state, towards her sister states, did by an act passed at December session 1813, provide that in consideration of the said act of the legislature of Pennsylvania as aforesaid the bed of the river Susquehannah from the Maryland line to the bay of Chesapeake is hereby declared, and shall forever hereafter be, a public highway, and that individuals or bodies corporate may at all times remove obstructions to its navigation; for which several enactments of the two states it is manifest that by a solemn compact, the river Susquehannah is a free and public highway, and that neither of the contracting states without the consent of the other, has a right in any manner or by any means to impede the natural navigation thereof.—And whereas, confiding in such compact, and the faithful performance of its conditions, this state has at various times and on different occasions, as have also divers corporations of the state, by authority thereof, appropriated and applied large sums of money to clear out the bed of said river, and to preserve the navigation thereof free and unobstructed, to the use of the citizens of the several states forming the said compact: And whereas the erection of the said dams, by the authority and direction of the state of Pennsylvania, is a manifest infraction of the said compact and agreement, and greatly injurious to the interests of this state, and to the citizens thereof—wherefore,

Resolved, That the governor of this state, be and he is hereby requested, to communicate a copy of this preamble, and the accompanying resolutions, to the governor of Pennsylvania, with a request that they may be laid before the legislature of the state, in order that measures may be taken by the state of Pennsylvania, to remove the just cause of complaint of the state of Maryland, in relation to the artificial obstructions in the river Susquehannah.

Resolved, That the governor be and he is hereby requested, to communicate copies of this preamble, and the accompanying resolutions to the governors of the state of New York and Delaware, with a request that they will communicate them to the legislatures of their respective states and ask their co-operation in obtaining the removal of all artificial obstructions to the navigation of said river.

Resolved, That the governor and council be, and they are hereby authorised and requested, to appoint three commissioners to repair to Harrisburg to remonstrate against the conduct of the state of Pennsylvania in erecting artificial obstructions to the navigation of the river Susquehannah, and endeavor to procure the removal of all such obstructions—and to report, if practicable, their proceedings during the present session, or if otherwise to the next general assembly of this state.

MORE STATE RIGHTS.

From the New York Commercial Advertiser, Jan. 27.

The pendency of the suit between New Jersey and this state, in relation to the boundary line, into the merits of which we do not mean to go, becomes interesting at this period, when the jurisdiction of the supreme court is called in question by Georgia. The history of the controversy is familiar to our readers. After fruitless negotiations of more than 30 years between commissioners appointed by the two states, New Jersey found it necessary, or deemed it expedient, to go into the supreme court, in order to have her rights investigated. We insert below three letters from the attorney general of this state, on which we have a passing remark to make. It will be seen that, much to the credit of his good sense, he does not pretend to deny that the constitution *has vested the jurisdiction* in the supreme court, over the matter in dispute; but he doubts whether the *manner* of exercising that jurisdiction can be best established by that court, without the legislation of congress. In other words, he seems to deny that the plenary gift of power involves its elements and attributes, and he does so in the teeth of a well known maxim of the common law. We understand that the court made a *rule* which meets the case, several years since; though it has been but recently published, in the last volume of Peters' reports. The attorney general will probably deny the right of the court to make such a rule, until congress has passed some statute to enable it to do so; which is making the words of the constitution a dead letter. And he also speaks of the common law, as being specially obligatory upon the United States' supreme court, an idea which has the merit of novelty, at least, when the *practice* of that court is in question.

Utica, New York, July 27th, 1829.

William Thomas Carrol, esq.

Clerk of the supreme court of the United States:

"SIR: The governor and the attorney general of the state of New York were recently served with the copy of a bill in equity, said to have been exhibited

in the supreme court of the United States by 'the state of New Jersey *vs.* the people of the state of New York,' and with a subpœna in that cause to appear on the first Monday of August next.

I beg leave respectfully to say, that *such service* is regarded on the part of the state of New York as *utterly void*, because the mode adopted is unknown to the *common law*, is not authorised by any *statute* of the United States, nor warranted by any existing rule or order of the court out of which the process issued.

Whether the court has been clothed with the power to *compel* the appearance of a *state* as defendant in an original suit or proceeding, is a question, among others, which no doubt will receive from that high tribunal all the consideration that its importance demands, before any order shall be made in the premises.

GREENE C. BRONSON,
attorney general of New York.

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Washington city, Jan. 8, 1830.

"To the hon. the chief justice and his associate justices of the supreme court of the United States.

"A bill has been exhibited in this court by the state of New Jersey, against the people of the state of New York, concerning the boundary line between the two states, and a subpœna to appear and answer, with a copy of the bill, has been served upon the governor of the state of New Jersey.

"A notice has recently been served, that on the 18th instant, the court would be moved to take the bill, *pro confesso*, and proceed to a decree, for the want of an appearance.

"I beg leave respectfully to say, that the opinion is entertained on the part of the state of New York, *that this court cannot exercise jurisdiction in such a case without the authority of an act of congress for carrying into execution that part* of the judicial power of the United States which extends to controversies between two or more states."

GREENE C. BRONSON,
attorney general of New York.

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Letter from the attorney general, concerning the boundary line between this state and the state of New Jersey:

Albany, December 27, 1830.

SIR: In a former communication to your excellency, (legislative documents of 1830, No. IV.) I mentioned the commencement of a suit by the state of New Jersey, against the people of this state, relative to the question of disputed boundary between the parties. The supreme court of the United States, at its last term, decided that the process previously issued in the suit, had not been duly served; and without disposing of the question of jurisdiction, awarded further process. This has subsequently been served upon the governor and the attorney general, and is returnable on the first day of the next January term of that court. It is probable that the counsel for New Jersey will then move for some order or decree in the cause, which will make it necessary for this court to decide whether it can exercise original and compulsory jurisdiction over a state. Upon this question I have seen no cause to change the opinion expressed in my former communication. I am with great respect, your excellency's obd't. humble servant,

GREENE C. BRONSON, *attorney general.*
His excellency gov. Throop.

LEGISLATURE OF NORTH CAROLINA.

In the Raleigh Register of the 9th Dec. 1830, we find the following account of the proceedings which have taken place in the North Carolina legislature, on the subject of domestic slavery:

On Friday last, the senate remained in secret session, nearly the whole day —This uncommon occurrence has excited much conjecture as to the nature of the business before them. It is believed, though the injunction of secrecy is not removed, that their deliberations were connected with the *diabolical* pamphlet written by Walker of Boston;* a copy of which was transmitted to the legislature by the governor, at the opening of the legislature. This is, we believe, the second instance only, in which the doors have been closed and the gallaries cleared, by either branch of our assembly, for secret legislation. The other instance was in 1799, when frauds were committed on our treasury, by Glasgow, Donelson and others.

On the same day the bill prohibiting the owners of slaves from teaching them to read or to write, passed its second reading, without a division. Whilst under consideration, Mr. Dick, from Guilford, moved to strike out that clause of the bill which prohibits slaves from being taught to read. Many of his constituents he said, considered it to be their duty to teach their servants to read that they might obtain a knowledge of the scriptures and he thought if slaves were not taught to write, so that they could hold no correspondence with each other, the purpose of the friends of the bill would be answered.

Mr. Meares was of a different opinion. If slaves were taught to read, he said they would be more likely to read the inflammatory publications of the day, such as he then held in his hand (which was the *celebrated* Walker pamphlet) than the scriptures. In order to shew the length to which the incendiary to whom he referred, went, Mr. M read from the pamphlet a number of very objectionable passages, and then hoped the proposed amendment would not be agreed to.

It was negatived by a large majority.

Mr. Dick then remarked, that his constituents and those of the friends of this bill, were very differently situated. In the part of the country from which he came, such a bill would be considered as very objectionable, for the reason which he had already stated; but as the eastern gentleman seemed desirous of passing it, he would not object to it, provided they would exclude from its operation the county of Guilford, For which purpose, he made a motion, which was at once overruled, and the bill passed its second reading, without a division.

House of commons, December 31.

On motion of Mr. *Henry*, the house resolved itself into a committee of the whole upon the following resolutions, heretofore submitted by Mr. Worth, viz:

"*Resolved*, by the general assembly of North Carolina, That, although the tariff laws, as they now exist, are unwise, unequal in their operation, and oppressive to the southern states, yet this legislature cannot concur with the extreme, violent and dangerous remedy to which the South Carolina doctrines of nullification manifestly tend.

"*Resolved*, That, in the sentiment, 'this union must be preserved,' we recognise principles which challenge the approbation of every republican, and which promise to save the republic from disunion and anarchy."

Mr. *Fisher* moved to amend the resolution by inserting the words, "in the opinion of this legislature," after the word *are;* and Mr. *Barringer* moved to strike out all the said resolution after the word *legislature*, and insert, "does not recognize as constitutional the right of an individual state of this union to nullify a law of the United States."

On these propositions to amend, and on the general merit of the subject, an animated and protracted debate ensued. These resolutions and amendments were advocated by Messrs. Barringer, Gaston, O'Brien, Henry, J. A. Hill, Worth and Fisher, and were opposed by Messrs. Bynum, Mebane and Sawyer. The amendments were finally adopted, and the resolutions, as amended, were reported to the house, the first to read as follows:

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* Walker is dead!

"*Resolved*, by the general assembly of North Carolina, That, although the tariff laws, as they now exist, are in the opinion of this legislature, unwise, unequal in their operation, and oppressive to the southern states, yet this legislature does not recognise as constitutional the right of an individual state of this union to nullify a law of the United States."

The second resolution was reported in its original shape.

Mr. *Blair* moved that the resolutions be postponed indefinitely, and supported his motion in a brief but spirited speech. The motion was negatived 88 to 26.

Mr. *Bynum* moved to strike out of the first resolution, all after the words *southern states*, and insert "yet this legislature would deprecate any doctrine, the tendency of which would have the effect to dissolve the union of these states"

On this proposition some debate arose, in which Mr. Bynum supported, and Messrs. Edmondston and Cooper opposed it. It was decided in the negative, 79 to 37.

Mr. *Speight* moved to amend the first resolution, by striking out the whole thereof, after the words *southern states*, and insert "yet this legislature is too warmly attached to the union of these states to hazard a resort to the extreme remedy of nullification." Mr. *Speight* gave his reasons at some length in support of his amendment, and in opposition to the general object of the resolutions. He was followed on the same side by Mr. *Bragg*, in an eloquent speech They were replied to by Mr. *Barringer*, who cautioned the house against swallowing the gilded pill offered by Mr. Speight.

The question was decided in the negative.

Mr. *Speight* moved then to strike out the whole of the first resolution, and demanded the yeas and nays

The question was decided in the negative, 90 to 24

Mr. *Stedman* moved that the resolutions lie on the table, which was negatived—93 to 19.

The amendments proposed by the committee of the whole were concurred in by the house, and the question being upon the adoption of the resolutions, Mr. *Speight* moved that the question be put on the resolutions separately, and the house so ordered.

The first resolution was adopted by the following vote—ayes 87, nays 27.

The second resolution was read and, adopted *unanimously*—yeas 112.

From the Raleigh [*N. C.*] *Register, January* 6.

It is with feelings of high gratification, we refer our readers to the proceedings of the house of commons on Friday last. It will be seen, that the doctrine of *nullification* was constitutionally nullified by an overwhelming majority. The debate was a most animated one, and continued for several hours. The only argument advanced against the adoption of Mr. Worth's resolutions, was, that it was highly indecorous and improper for North Carolina to reflect upon her namesake of the south. When it is borne in mind that the citizens of this state naturally entertain a feeling of warm attachment to the people of South Carolina, and the most exalted respect for the distinguished men to whom she has given birth, and the vote on this subject shows most conclusively, that the cord of private friendship is but an attenuated thread, compared with the lion grip which binds North Carolina to the union. Let South Carolina no longer look to us for countenance in her unconstitutional measures—"let her not lay the flattering unction to her soul"—we were the last to come into the federal compact, but we shall be the last to go out of it."

Mr. *Henry*, of Fayetteville, in the course of his eloquent remarks, said—"Mr. Chairman, nullification is treason, and they who advocate it are traitors to our dearest rights. I say this, sir, on my individual responsibility; let gentlemen make the most of it. They who endeavor to foster a spirit of disunion, with a view to effect the overthrow of our beautiful fabric of government, deserve to expiate their crime upon the gallows,

> —"And doubly dying, to go down
> To the vile dust from whence they sprung,
> Unwept, unhonor'd, and unsung."

For the Raleigh Register of Jan. 13.

The legislature of the state adjourned on Saturday morning last, after a session of fifty four days.

Nullification.—The resolutions which passed the house of commons, by so triumphant a majority, putting the seal of reprobation upon this unhallowed doctrine, were not acted on in the senate for want of time—no attempt having been made to call them up. On the day of adjournment, Mr. *Blair* and Mr. *C. G. Speight*, availing themselves of their constitutional right, entered their protest upon the journal of the house of commons, against the passage of the resolutions referred to above, on the ground that they reflect upon the conduct and impugn the motives of a gallant and patriotic sister state, and have a tendency to prostrate the sovereignty of every state of the union, and to raise upon their ruins one grand consolidated government of unlimited powers, subversive of the liberties of the people, and ultimately leading to despotism and anarchy. The opinion is also asserted, that the states have the constitutional right, in *extreme* cases, to nullify a law of congress, and that to deny this right, would be tantamount, they say, to a denial of the principles on which the constitution itself is founded.

Tariff resolutions.—The resolutions introduced by Mr. *Sawyer*, of Edenton, on this subject, were not again called up after the debate on them, in which that gentleman and Mr. *Hill*, of Wilmington participated. We were confident our legislature could not swallow the opinions contained in them.

Mr. Bynum's resolutions.—It will be recollected that these resolutions, denying altogether the right of the general government to execute works of internal improvement, within the limits of this or any other state, after passing the house of commons, were laid on the table in the senate by a vote of 48 to 10. On the evening, prior to adjournment, having but little business before them, an attempt was made in the senate by Mr. *Wilson*, of Edgecomb, to call them up for consideration. After some debate, the motion for consideration was lost, 16 to 36. So that our prediction that these resolutions would not pass, has been fulfilled, and the legislature has been saved from so inconsistent a decision.

The next presidency.—Resolutions were introduced into both branches of the legislature, approving the general course of policy pursued by the present administration, and recommending general Jackson to the people of the United States as a candidate for re-election. Those submitted in the house of commons, were adopted, and sent to the senate for concurrence, but were there laid upon the table. Those presented in the senate were passed, after striking out that part which recommends the president for re-election. When they came to the house of commons, that part was re-instated, and the resolutions were again returned for concurrence to the senate. After debate, they, with the amendment, were laid upon the table, and were not again taken up. This determined course of the senate has excited no little surprise, and even indignation amongst the thoroughgoing Jacksonians. We are at a loss to account for it, knowing, as we do that a large majority of the senate are professedly the friends of general *Jackson*.

Internal improvements.—Governor *Owen*, in his communication to the legislature, at the opening of their late session, suggested the propriety of abolishing the board of internal improvement, and appointing in its stead a superintendent of public works; but the legislature adjourned without either renewing the board or appointing an intendant, so that nothing on this subject can be done during the present year.

NILES' WEEKLY REGISTER.

FOURTH SERIES. No. 25—VOL. III.] BALTIMORE, FEB. 12, 1831. [VOL. XXXIX. WHOLE No. 1013

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT $5 PER ANNUM, PAYABLE IN ADVANCE.

☞ The editor of the "Richmond Enquirer" thanks Mr. Raguet for certain essays that he is publishing—which, he thinks will give "Mr. Niles sufficient employment for the present"—and that if Mr. N. cannot overthrow *these* [Mr. Raguet's exhibitions] it would seem "unnecessary for him and ourselves to embark in the war of words, upon the same field of discussion!"

Mr. Niles *has* sufficient employment for the present, in giving his usual attention to public documents and proceedings, and has no room for such a discussion as is suggested. Nor will he at any time feel willing to enter into *argument* on the constitutionality, operation and effect of a protecting tariff, with Mr. *Raguet*. If Mr. *Ritchie* is pleased to adopt the essays of the editor of the "Banner of the Constitution" as his own, in the promised discussion, Mr. Niles will endeavor to answer the statements—even as to "*almonds, ashes, beans, mustard,* and *nails*," about which it appears that Mr. Raguet is making long speeches—the conditions being observed on the part of Mr. Ritchie, who must not think of *turning me over* to any other person. He is a "philosopher" that I wish to have some talk with. And if it shall not be the good fortune of either to *convert* the other, our respective readers may be amused, if not instructed, by the controversy, between us—being, as we are, "veterans of the *goose*-quill;" and sufficiently, perhaps, impressed with a good opinion of ourselves! *We shall see.*

☞By late arrivals at New York, we have a great mass of foreign matter—rather, however, of a speculative character, than as giving accounts of important events. We had time, and room, only for a brief summary, which will be found in its proper place.

It appears, that much excitement prevails in France, Great Britain, Ireland, and Russia, as well as in Poland, and we cannot see how it is to be quieted without appeals to force, and much shedding of blood. France, perhaps, has passed her greatest crisis, the ex-ministers being disposed of,—and Lafayette, calculating on the public tranquility, has resigned the command of the national guards—but France is prepared to battle with foreign powers, and we think that an extensive war must pretty speedily ensue, though the affairs of Belgium seem adjusted, for the present. We shall not be surprised to hear of sad work in England. The people are maddened with suffering, and very many arsons are committed. It would appear that the extreme point of taxation has been reached in this country, and that the means of payment had been gradually lessened until the whole of the working classes, especially in agriculture, were reduced to a state of semi-starvation—or stinted supply of coarsest food. We doubt the possibility of such *reformations* as will relieve the people, without a *revolution*. The armies of placemen and pensioners and priests, will hold on, to the last extremity, and the *materiel* for war is chiefly in their hands—but if the populace shall once get the ascendancy, what havoc will ensue! A foreign war, perhaps, might assist in preserving peace in England, by affording new employments, and in the disbursement of large sums of money—to be sure, it would increase the amount of the public debt, and add to the *future* burthens on the laboring poor; but *present* relief would seem to be an object of the first consideration.

A "STATE-RIGHTS BALL," is advertised in the Charleston "Mercury," to be given to "his excellency, James Hamilton, junior" on the eve of the 4th of March. In a long list of managers, we find the name of Langdon Cheves.

I am not acquainted with the rules which prevail on such occasions; but, if "in order," would suggest that Mr. Cheves, who has a fine voice and flowing delivery, should commence the ceremonies by reading Mr. McDuffie's essays in reply to the Georgia "Trio," concerning state-rights, with the introduction of "his excellency James Hamilton, junior," when they were collected and published in a pamphlet form, that things so precious to the *unity of the nation* might not be lost. There never has appeared any set of papers, (even those published by John W. Fenno—who compared the United States to an old sow, and the states to a litter of pigs, tugging and pulling at her), that proceeded further towards *consolidation* than these essays of Mr. McDuffie, *endorsed* by "his excellency James Hamilton, junior." We may incur the expense of an extra sheet pretty soon, to put all our readers in possession of this splendid specimen of *anti-radicalism*.

STATE RIGHTS. The following was intended to have succeded certain doings in the legislature of Maryland, (inserted in the extra sheet which accompanies this number), but shoved out for want of room.

☞Now—as in this matter, there is no power to adjust the dispute between "sovereign" Pennsylvania and "sovereign" Maryland—We advise that an *army* of *Marylanders* should be stationed at the northern line of the state to fire upon and kill any person "feloniously" descending the Susquehannah from the "nation" of Pennsylvania; and that a detachment of SOLDIERS should be located on the Maryland-side of the Chesapeake and Delaware canal, to cut through the banks and let off the water, at the very first moment when the present frosty weather will allow it to run away: which, together, would afford a *magnificent* specimen of the "*sovereignty" of the states,*—either named having a right to *nullify* the blessings of PROVIDENCE, or render useless the works of art! Let us go the "whole hog!" and *enquire* into the right and reason of things by loud huzzas!

To be serious. We hope that this comical position may be excused. Maryland, we are prepared to say, has no part in the present suicidal proceedings of "scurvy politicians." She reveres the judiciary of the United States, and loves the union, so much so, that even a qualified motion to amend the constitution of the United States offered in our house of delegates, [see page 357], obtained only *two* votes out of more than *sixty* members present. Maryland bled freely in the revolution—her line is famous in the annals of freedom; she fought for liberty, but rejects licentiousness—and will wait the justice of her sister, Pennsylvania, or seek it before an honest and distinguished arbiter, as provided by the constitution.

INTERNAL IMPROVEMENT. A number of the most respectable citizens of Philadelphia have addressed a circular to their fellow citizens, with a view to the making of a rail road from the Susquehannah to that city, and render the proposed Baltimore and Susquehannah rail road "*quite harmless.*"

But our purpose is simply to introduce the last paragraph of the circular, to shew the effect of the "American System" on Philadelphia—

"What has given such a spring to the business of the city, within the last three or four years? What has dispelled the gloomy prospects of former years? What has spread such a general face of prosperity over the whole community? What has enhanced the value of real estate, and raised rents from 20 to 30, and in some cases to 50 per cent. particularly in Market street?—What has led to the building of from 750 to 1,250 houses per annum—all tenanted as soon as finished, and most

of them engaged while under way? To the creation, in a word, of almost, we might say, a new city within the precincts of the old? What has more than doubled the number of vessels arriving in our port in three years?—In 1827 the number was only 1,759—whereas it was 3,702 in 1830—an increase almost unexampled in the annals of trade and commerce. What has effected this exhilirating advance in prosperity? What?—Nothing but the communication so laudably and enterprisingly opened with the interior by our various canals. And having partaken so abundantly of the immense advantages which Providence has placed within our reach, and the difficulties of which our capital and industry have so happily removed, shall we stop short in our career, and falter in making the slight effort necessary to give such a noble extension to our prospects?—Forbid it, reason and common sense—forbid it, regard to our present state—to our metropolis, to ourselves, to our wives, and to our children."

☞ Like remarks might be made concerning Baltimore, for "like causes produce like effects." But the fulness and prosperity of our population, the rise of property, and increased employment for mechanics and other working people, are rather the result of pleasant prospects *a-head*, than of advantages yet *realised*. It is certain, however, that there has been a great increase of business in this city, and that our interior and exterior commerce is mightily enlarged, compared with what it was a few years ago; and that Baltimore never was so full of people as at the present time. There is hardly a house unoccupied, though a very large number was built the last season.

In 1820 to 1824 inclusive, Baltimore lost many inhabitants. I have thought that our population would have exceeded 90,000, at the present time, but because of the want of employment in those years, and consequent removal of the people, to the north, south, east and west.

It would be curious to calculate the reduced, or increased value of property, in a city of 80,000 inhabitants, if reduced to 70,000, or advanced to 90,000. At a rough guess, we should suppose the *difference* equal to the whole cost of making the Baltimore and Ohio rail road, as estimated. We submit the matter to the reflection of property holders.

General Brown. We have been much amused with an article from the *London Athenæum*, copied into a most respectable *American* periodical. It is called an "anecdote of Brandt, the Indian chief"—and says *as how* that general Brown, who commanded the American forces, being severely wounded at the battle of Lundy's Lane and *made prisoner*, was conducted to the English quarters—where he was preserved from slaughter by the *humanity* of the British general—Brandt having repaired to the spot, with his tom hawk, to exterminate the captives; and *as how* that "then and there," the said Brandt, "with savage mildness in his eye and disappointed fury in his gestures," called general Brown, a "fortunate fellow"—telling *as how* he had deliberately fired his rifle twice at him, without effect—and that gen. Brown said "then you must be a d—d bad shot." And *as how* Brandt, being greatly offended with this charge of unskilfulness, seized his tomahawk, "which trembled with the fury of his grasp," and sprung at the wounded general to murder him, but was restrained by those who had been appointed to guard and protect him.

This story is about *as* true as most of those which are told the English people, in regard to Americans and American affairs—for there is not one word of truth in it, as every American knows. Gen. Brown, the brave commander of the army of the United States, never was a prisoner to the British. And the story about Brandt is as old as Braddock's defeat—the same thing having been reported as said by an Indian chief concerning *colonel* Washington. The words "a d—d bad shot," might have originated in what really happened to the late com. *Barney*, when he commanded his privateer, the Rossie. He had a sharp fight with a British packet, and the latter having surrendered, he particularly noticed a colored man, who was the steward of the packet, and said to him "you are a d—d bad shot.—I saw you take aim at me three times, and you did not touch me." The other said "I did as well as I could," and Barney returned, "I suppose so," ordering him to retire, and get some refreshment.

Consistency. Almost every state, at one time or another, has asked the aid of the general government to make internal improvements. Perhaps, no state is altogether clear of being committed on this subject, and yet such construction of the constitution is violently opposed by several—the fashion having changed!

The legislature of North Carolina lately made a call upon the general government to aid in re-opening the Roanoke inlet—and the popular branch of the legislature of that state passed a resolution, denying a power in the general government to prosecute internal improvements within the limits of a state!

Cotton canvas. The commissioners of the navy will receive sealed proposals for the supply of about 500 bolts of cotton canvas, and 2,000 yards of canvas for hammocks, &c.

The *new* manufactures of cotton in the United States are worth more to the planters, in the value of their product, than all the duties which they *think* that they pay on account of the "American System." Cotton canvas is forcing itself into use, against the wishes of the party most interested in its encouragement!—and beverteens and "cotton flannels," are rapidly passing into general consumption, and will dispose of thousands of bales of cotton. The editor is using the flannels spoken of in lieu of woollen flannel, for drawers. It is equally pleasant, and much cheaper.

Horse-power. Mr. Walker, an English engineer, says that the average work of a horse is 150 lbs. moved 20 miles per day; and that on a level rail-way, the fair work of a horse is the moving of *ten tons*.

Time. A good deal has been said about apparent time, as indicated by a sun dial, and true time as established by a correct clock. The latter is always faster than the dial from the 24th December to the 15th April, and from the 16th June to 31st August; and slower than the dial from the 15th April to 16th June, and from the 31st August to the 24th Dec. On the 5th February, the clock is fast 14 m. 20 sec. says a writer in the Norfolk Beacon, who observes that the dial can never be right more than four days in the year.

Judge Peck. The Washington correspondent of the Philadelphia Inquirer thus describes the scene in the senate chamber, when sentence was demanded in the case of Judge Peck, from the senators:—

"The vice president rose and observed that when the question of the guilt or innocence of the accused should be propounded from the chair, each senator, as his name should be called, would rise from his seat, and distinctly answer *guilty* or *not guilty*, as he should think proper. A brief pause ensued, when the vice president said, in a very audible tone of voice, "Mr. Senator Barnard!" General Barnard rose: "What say you, is James H. Peck, the judge of the district court of the United States for the district of Missouri, guilty, or not guilty, of the high crimes and misdemeanors charged in the article of impeachment exhibited against him by the house of representatives?" General Barnard distinctly and emphatically said, "*guilty*." The same question was successively put to each senator, and answered, until it was propounded to Mr. Poindexter. That honorable senator said, "guilty of a high misdemeanor." The vice president seemed to look for an explanation, and reiterated the question. Mr. Poindexter again rose and repeated the words, "guilty of the high misdemeanor charged in the article of impeachment," but "not guilty of any criminal intention." Mr. Robbins also answered the question, "guilty of a high misdemeanor." The vice president then desired the secretary of the senate to refer to the article of impeachment for the language of the charge exhibited against the respondent, and it was found to be for "high misdemeanors," and not for "high crimes and misdemeanors." When the question was put to Mr. Tazewell, his reply was, "*he is* NOT *guilty*." When it was immediately

afterwards put to his honorable colleague [Mr. Tyler] he said with great emphasis, "*he* is *guilty*." Twenty-one senators voted for the conviction of judge Peck, and twenty-two against it.

[The trial of judge Peck has been tedious and expensive—and caused a great waste of the time of congress, at its short session. But it was "necessary and proper" that it should have taken place. A violent outrage on private rights had been, apparently, committed, by one whose first duty it was to have rendered justice. The decision of the senate shews that there must have been certain strong circumstances which plead a mitigation of the offence charged. It is not for us to pronounce on this judgment of the "high court of impeachment." Mr. Lawless may have deserved punishment—but the *manner* of its infliction is not conformable to our notions of right; and yet in judge Peck it may have been excusable, because of some peculiar condition in which he was placed; concerning which we have heard many rumors, years ago,—though not *personally* applicable to the principal accuser, Mr. Lawless.

We must think, that, when a judge publishes his opinion, it is a common property of the public, and subject to the "freedom of the press." The merits, however, of subsequent action may depend on circumstances. A right thing may be done in a wrong way.

Baltimore and Ohio rail road. At the request of a much respected friend, and for the general information, we state—that the charge for transportation of goods on this road, when completed, may not exceed four cents per ton, per mile—thus, a barrel of flour, as a common article, rated at 200lbs. will pay 40 cents, if carried 100 miles—20 cents, if 50 miles, and so in proportion, according to distance. Twenty barrels, a common wagon load, will therefore be carried 50 miles for four dollars.

"The lottery system," is becoming exceedingly unpopular, and chiefly, perhaps, because of the deceptious manner in which it is now managed—which, on an average, is about 43 per cent. against an adventurer.—But the worst of all is, that those who might afford to "sport" a little, have nearly ceased to purchase tickets; hence many little "schemes" are thrown out, to catch the poor and wretched creatures who have hardly enough to get bread, yet expend their 50 cents for the chance of a *share* of the 1,000 dollar prize. It is a vile tax on the needy and ignorant.

Bank of the United States. We have a long report on the state of this institution, and shall give the latest summary, at full length, as soon as we can. It shews a great degree of prosperity. In 1829, the specie in its vaults was $7,608,076—now more than 10,800,000. This "tells" that the "American system"—*or something else*, has affected the "balance of trade."

New Hampshire. We have before mentioned that Mr. Dinsmore was nominated by the "Jackson" party in this state, as their candidate for governor, at the ensuing election; and now observe that the "national republicans" have held a convention at Concord, at which gen. Upham received 165 votes as a candidate for governor, 19 being given to three other persons. It was then stated that gen. Upham had positively declined being a candidate—when Mr. I. Bartlett received 187 votes in the convention, out of 193, the whole number present. This convention also nominated six persons as proper candidates to represent the state in congress.

New York. William L. Marcy has been elected a senator of the United States for six years from the 3d of March next, in the place of Mr. Sanford. The vote in *caucus* was—for Mr. Marcy 77, Erastus Root, 15, Nathan Sanford 6—scattering 6. And, in the *legislature*, for Mr. Marcy 107—32 for another person, or persons.

Mr. Keyser, being agreed upon in caucus, was re-elected treasurer. Samuel Nelson, of the 6th judicial district, being in like manner agreed upon, was elected a judge of the supreme court, in the place of Mr. Marcy, elected senator.

We thus see that a *caucus nomination* precedes the *legislative* election, in New York, without disguise; and is imperative.

Maryland. Mr. Chambers' period of service in the senate of the United States, expires on the 3d March next. The house of delegates have sent three messages to the senate, proposing to proceed to the election of a senator of the U. States, which have been "thrice refused." The last message from the senate to the house, was as follows:

"We have received your message, proposing to proceed this day to the election of a senator to represent this state in the congress of the United States, and respectfully decline acceding thereto."

Though some may regret that things have not been allowed to take their *regular* course—those opposed in political opinion to the senate of Maryland, must feel a lurking pleasure at the proceedings of that body—seeing that a new senate is to be elected in the present year.

Virginia. The following statement, showing the disbursements of the internal improvement fund within the four great divisions of the commonwealth, is appended to the report:

Tide-water district,	$300,500 00
Middle district,	317,708 00
Valley district,	70,625 00
Trans-Alleghany district,	13,180 00

By the new constitution of Virginia, the senate now contains 32 members, instead of 24; and the house of delegates has 134 instead of 214.

Louisiana. In the legislature of this state, (says the National Intelligencer), a resolution has been passed instructing the senators from the state in congress to use their exertions, to obtain the aid of the national treasury to deepen the channel over the bar at the mouth of the Mississippi. One of the bills which fell under the veto of the president of the United States at the last session, contained a liberal appropriation for this object: so that there can be no doubt of the disposition of congress to second the wishes of the state of Louisiana in this particular.

Claims of Massachusetts and North Carolina. The following letter from Gov. Lincoln to Gov. Hunton, of Maine, with the accompanying note from Mr. secretary Eaton, appeared in the Portland Advertiser:

"*Executive of Massachusetts,*
Worcester, Mass. Dec. 23, 1830.

To *his excellency gov. Hunton,*

Sir:—In accordance with the assurance given in my letter of the 13th instant, I have now the honor to forward herewith copies of a correspondence with the department of war of the United States, together with the report made to me by the hon. John Davis, who was appointed an agent of this government to urge the claim of Massachusetts for the payment of the services of her militia and of measures of defence, during the last war. It will be obvious, I trust, from these documents, that no reasonable means have been neglected on the part of this commonwealth, to obtain, under the law of congress, a prompt and satisfactory attention to this interesting subject, by the high officer to whose supervision the settlement of the accounts was referred. Instantly, upon intelligence of the passing of the act, a communication was addressed to him, pressing upon his consideration the great delay to which the state had already been subjected, and asking for the *immediate payment* under the appropriation of congress of so much at least of the amount of the claim, as had been found admissible on a former auditing, and a further examination of the residue. Before the letter reached Washington, this secretary had left the seat of government, to which he did not return for a period of nearly five months, and until the first of November. In the mean time, no opportunity was afforded to hasten the final adjustment of the accounts.

The report of Mr. Davis will apprize you of the causes which rendered his presence at Washington, upon the return of the secretary, and before the meeting of

congress, unavailing to the interests of the state. The letter of the secretary, addressed to him on the 15th of November, is a pledge of an intention to devote the earliest opportunity to the subject, and with this, and the assurance that no measures will be omitted on the part of the government of Massachusetts, to bring it to a speedy and favorable issue, you have all the information in my power to furnish of the prospect of its ultimate accomplishment.

With renewed assurances of my respectful consideration, I have the honor to be your excellency's obedient servant. LEVI LINCOLN.

"War department, Nov. 18, 1830.

SIR—You are fully aware of the various engagements I have, under the ordinary details merely of this office. Besides these, congress will soon be in session, and previously many things are to be done, and all the estimates to be prepared.

Thus situated, to examine at once into the claims of Massachusetts and North Carolina, both of which are before me, is impracticable.

I cannot perceive how this matter can be arranged speedily. Hence your presence here, cannot be material. Business calling, you had better return; and speedily as possible the claim of your state will be attended to, and, as you desire, any matter arising, which is seemingly objectionable, shall remain for your suggestions, before a final decision shall be made.

With great respect, J. H. EATON.

Hon. *J. Davis, agent for the claims of Mass.*"

SALT DUTY. The introduction of a bill in the house of representatives by Mr. Mallary for the purpose of raising the duty on salt to fifteen cents per bushel, and to repeal the law by which the duty will be further reduced to five cents per bushel on the first of January next, produced a considerable sensation among some of the southern members. We annex a few of the remarks of some of them. Mr. Blair, of South Carolina, said—

"He took it for granted the house would reject this bill by an overwhelming majority. He therefore hoped argument against it was unnecessary. Beside, his feelings, in relation to this subject, were too strong to authorise him to run the hazard (at this moment) of saying what might be regarded as indecorus. Candour, however, required, and an imperative duty to his constituents, to himself, and to the house, enjoined upon him to declare, most *emphatically*, that if this proposition should succeed, *the time for argument will have passed away.*"

Mr. Nuckolls said—

"Let the report and bill be referred and printed, and after time for examination, let them come up for discussion. Sir, I will vote at any time for taking up and deciding the fate of this matter. The people of South Carolina are in great doubt and perplexity on this subject, they have been assured that relief from their unconstitutional burthens would be progressive; but if, on the contrary, our recourse is to be retroactive, by increasing, instead of dimminishing their grievances, we desire to know it, in order that we may set about relieving ourselves from them "peaceably if we can, forcibly if we must."

According to the National Journal—

"Mr. Speight warned the friends of the tariff not to presume on their majority on this to oppress the south and make the *empire* reel and totter to its foundation. He assured them that the *vengeance* of the people would sooner or later stalk through the avenues of this house to *take vengeance* on them. He stated that the southern states are now on *the eve of rebellion*, and will not submit to further oppression."

THE CONSTITUTION! The following were the yeas and nays in the senate of the United States, when the bill for sending relief vessels off our maritime frontier was passed on the 17th ult. They are useful for reference, but were omitted in their proper place.

Yeas—Messrs. Barton, Bell, Burnet, Chambers, Chase, Clayton, Dickerson, Dudley, Foot, Frelinghuysen, Hendricks, Johnston, Kane, Knight, Livingston, Marks, Naudain, Noble, Robbins, Ruggles, Seymour, Silsbee, Smith of Maryland, Sprague, Webster, Woodbury—26.

Nays—Messrs. Benton, Brown, Ellis, Forsyth, Grundy, Hayne, King, McKinley, Poindexter, Robinson, Smith, of S. C. Tazewell, Tyler—13.

BALTIMORE. The exact population of the city and county of Baltimore, is as follows:

	City.	*County.*
White males	30,021	15,987
——— females	31,693	14,625
Slaves males	1,661	3,537
——— females	2,462	3,006
Free colored—males	6,166	1,559
——— females	8,622	1,537
	80,625	40,251
	40,251	
	120,876	

Aggregate	*City.*	*County.*
Free whites	61,714	30,612
Slaves	4,123	6,543
Free colored	14,788	3,096
	80,625	40,251

The *population* of the city and county of Baltimore is considerably more than one-fourth part of the whole state, their *taxation* one-third, bearing hard on the city—the *representation* 13 2-3 part. The *city* has nearly a *fourth* part of the free population—pays one *fifth* of all the taxes, and has a *fortieth* part of the power of making the laws. Such is the constitution of Maryland.

OFFICERS OF THE NAVY. Two master commandants, 9 lieutenants, 2 surgeons, 3 assistant surgeons, 2 pursers, 15 midshipman, 1 sailing master, 1 boatswain, 1 gunner, and 1 colonel of the marines, died in the year 1830. Of the 37, no less than 17 perished in the Hornet—4 died of yellow fever, 3 of consumption, 1 killed in a duel.

In the same year, 2 pursers, 1 chaplain, 2 marine officers, 20 midshipmen and one sail-maker, resigned.

THE SOUTHERN REVIEW. The following novel proposition was submitted at Charleston on the day of its date. We think that it ought to be preserved as a "curiosity of literature."

☞ For the purpose of sustaining "*the Southern Review,*" it is proposed to create a joint stock company with a capital $100,000 cash. The amount subscribed, shall be paid in before the 1st of February 1831, and put out at interest. The income of the capital thus invested, shall be applied to discharge the expense of the publication. Each stockholder shall be entitled to a *certificate of stock*, and shall receive annually, as a dividend of 5 per cent. upon his investment, a copy of the Review. The MONEY collected from subscribers other than stockholders, shall be divided among the stockholders, making a *money dividend*, in addition to the literary dividend.

Until other arrangements can be made, the following gentlemen will act as *trustees or directors* of the *company*—hon. *R. Y. Hayne*, col. *William Drayton*, *James Hamilton*, jr. *James L. Petigru*, *Hugh S. Legare*, Dr. *S. H. Dickson*, *Mitchell King*, and *John Gadsden*, esquires.

Charleston, S. C. November 3d, 1830.

[We have heard nothing as to the effect of this proposition. *We* should like to be "sustained" by a stock of one hundred thousand dollars!—but make out, as yet, to sustain ourselves by regular subscriptions only, notwithstanding a pretty severe persecution for "conscience-sake."]

MR. CLAY. The following letter from Mr. Clay to an ingenious and worthy mechanic of this city, says the "Richmond Whig," will be read with satisfaction:

Ashland, 2d December, 1830.

Dear sir:—I have received the letter which you did me the favor, on the 15th of October last, to address to

me, with the snuff box accompanying it, manufactured by you, and which you have kindly offered to my acceptance. I receive the present with much thankfulness, and shall cherish it as a valuable testimony of your friendly consideration, and of the ingenuity and neatness which it displays. The specimens of consummate skill and persevering industry, daily issued from the workshops of our artists, are strong practical arguments, tending to correct the theories and to remove the doubts of the opponents, and to animate the hopes and strengthen the confidence of the friends of the American System. The day cannot be distant, when passion and prejudice having subsided, all will yield to the accumulating evidence of the wisdom of its policy. Like our gallant navy, it will conquer the public favor. In the mean time, whilst others rail and threaten, let those, like yourself, who are desirous to render our country "independent, prosperous and happy," unawed, firmly and steadily employ their tongues, their pens and their hands, to enlighten the understandings and supply the wants of our fellow-citizens.

I must add the expression of the satisfaction I derive from the place whence this manifestation of friendly regard has proceeded. May Richmond, which recals many early and agreeable associations, soon realize all the unequalled advantages which it possesses for the successful prosecution of the arts! And may you and its other enterprising mechanics, enjoy a full share of its prosperity. I am, with great respect, your friend and fellow citizen, H. Clay.

Mr. Lewis L. Barnes.

Mr. Pitkin. We briefly mentioned that this gentleman had declined a nomination of governor, by the anti-masonic party in Connecticut. The following is his letter in relation to the subject:

Farmington, Dec. 31st, 1830.

Noble D. Strong, esq. editor of the Anti-masonic Intelligencer, Hartford:

Sir:—By one of your late papers I learn, that the anti-masonic convention of this state, which met at Hartford, on the 15th inst. placed my name on its list of candidates for office, at the ensuing spring election. It appears by the same paper, that previous to making this list, a resolution received the sanction of that body, declaring that no persons were to be put in nomination but those, who were "known not to be freemasons, nor advocates of freemasonry."

Presuming, that after the adoption of this resolution, the members of this convention, would place no one on their list of political candidates whose principles were supposed to be the same with those embraced in the resolution, and who, if elected, would not, in his political conduct, be governed by them, I think it proper through the medium of your paper, to state, that, whatever may be my private opinions respecting freemasonry itself, they have never led me to concur in the propriety or policy, of excluding from office, either in the state or general government, every citizen who is a freemason, or whose opinions of freemasonry may be different from mine. And I cannot but think it necessary to add, that entertaining sentiments on this question, (certainly not an unimportant one), so different from those, held by the individuals composing this convention, I deem it improper, and indeed, unjust to them as well as myself, to acquiesce, in having my name placed on their list of political candidates. I am respectfully, yours,

Timothy Pitkin.

Pensions and bounty lands. In consequence of some attempts at imposition and fraud, the following order was published.

War department, Washington, Nov. 17, 1830.

The many impositions which are attempted in relation to pension and bounty land claims, has caused the department of war to establish a regulation, which declares that no attention, will, in future, be given to applications from persons who act as agents, unless they are known at the department, or are vouched for as respectable persons by some one who *is* known.

Notice of this regulation is hereby given; and that all may be informed thereof, it is requested that publishers of the laws of the United States in the respective states will insert the same on the front page of their respective papers, for three months.

By order of the secretary of war,

J. L. Edwards, *first clerk pension office.*

William Gordon, *first clerk bounty land office.*

Mexico and South America. We have many articles of intelligence from the new states in the south, if *states* they deserve to be called—for, perhaps, neither of them have a regular civil government. They all relate to insurrections, or revolutions—the marching of troops, the victory or defeat of generals! We feel no great interest in these proceedings, and shall not—until the *people* obtain power; of which we are now almost hopeless. It is mournful to reflect that these once rich and flourishing countries, even under the dark despotism of Spain—are now desolate and half depopulated by the ambition of their unprincipled chiefs, pretending to love liberty!

East Greenland, some centuries since settled by a colony from Iceland, but for hundreds of years lost because of the icy mountains that concealed it, has been discovered by capt. Graah of the Danish navy, especially appointed for that service. He found some people, whose form of the head and body, had greater resemblance to the inhabitants of the north of Europe than to the Esquimaux, but he discovered no traces of the old settlement, about which there has been so much said. The country is exceedingly inhospitable—a few small spots only permitting the habitation of human beings, and these eke out a miserable subsistence. Captain Graah took up winter quarters in lat. 63° 22′ north.

The African colony. It seems that a colonist may now be transported to Liberia for the sum of twenty dollars; and great efforts are making to give new power to the project of relieving our country of an unhappy population, as well as to render to colored persons a lasting benefit, by giving them a *home*—in which the doing well will insure them a rank in society, which they *cannot* obtain in the United States—let us reason on the facts as we may. If the whole force of the friends of emancipation, and of those who desire to relieve us of the free people of color, shall be given to the transportation of females, not exceeding the age of 14 years—an annual expenditure of less than 300,000 dollars will keep the whole colored population of the United States in "check"—so long as effective subjects can be found.

FOREIGN NEWS.

Arrivals at New York bring London papers of the 4th of January.

GREAT BRITAIN.

Parliament adjourned on the 23d December, until the 3d February. On the re-assembling of parliament ministers intend to bring forward their plan of reform.—The disturbances still continued in many parts of England. Public prayers were offered up, in the national churches, that they might subside.

SCOTLAND.

Meetings were being held in various parts of Scotland to petition for reform.

IRELAND.

The excitement in this country was increasing, and the new lord lieutenant had found it necessary to issue his proclamation to prevent public meetings. Mr. O'Connell made a public entry into Dublin on the 19th of December, when 5,000 persons collected to receive him. He is still going on with his project of repealing the union.

FRANCE.

The French government has passed through a crisis of imminent peril. The ex-ministers' trial was completed on the 21st December; they were sentenced to be stripped of their titles and honors, and to perpetual imprisonment. This disappointed the populace of Paris, who thirsted for their blood. Had it not been for the great loyalty and firmness of the national guards, they would

have been successful, and another revolution must have followed. General *Lafayette* having resigned the command of the national guards, *count Lobau* was appointed his successor. Several of the French ministry had also resigned. General Lafayette was actively employed during the ferment, in suppressing the excitement; he was to be seen every where addressing the crowds of persons. Many of the rioters had been arrested. The king of the French received the resignation of Lafayette with feelings of the deepest regret, and made an effort to induce him to assume the command again, but without success.

RUSSIA.

The emperor of Russia had appointed *field marshal count Diebitsch* the commander in chief of the army to operate against the Poles, and had determined on reducing them to subjection. It was reported in the London exchange, of disturbances having broken out in St. Petersburgh, which is said to have been confirmed by the latest letters of the date of the 4th December. The Russian bonds had consequently fallen, Prince Galitzen, a minister of state, had been banished, for urging the people on to insurrection. The emperor, and most of the nobles, rumor said, had left St. Petersburgh. The military governor of that city had issued a proclamation.

BELGIUM.

The five great powers of Europe had acknowledged the independence of this country, and affairs appeared settling down into a state of quiet.

POLAND.

Arrivals from Warsaw are to the 9th of December, and from the frontiers of Poland to the 12th, both inclusive. The number killed at Warsaw during the commotions, is stated to be about 6,000. General Chlopicki had been appointed commander-in-chief of the national Polish guards, with the title and power of *dictator*. The Poles were preparing for the conflict, and the most rigid police had been established.

PRUSSIA.

Things were quiet in Prussia, and it had been determined by the government to withdraw the Prussian troops from the fortress of Luxemburg.

ITALY.

The people of Rome were in arms and demanded a constitution.

FOREIGN ITEMS OF NEWS, &c.

The grand duke Constantine was not deficient in vigor and presence of mind in the recent revolution, but he could not be prepared, for the Polish movement came upon him like a flash of lightning. He was on horseback at the first alarm; he endeavored, at the head of four or five Russian bodies of cavalry, and several battalions of infantry, to restore the people to order; but he found it impossible to suppress so general a movement; and although he might perhaps have kept his stand at the palace outside the town for sometime, he retired at daybreak.

"Polonaise," said J. J Rousseau, "you cannot prevent your enemies from swallowing you up, but, at least hinder them from digesting the meal." It appears evident that the people of Poland of the present day, are determined to follow the advice of that celebrated writer.

We have long considered *Benjamin Constant* as among the ablest "working-men" that have labored for the good of the people. A study of his character might be useful to many persons in the United States! His talents do not appear to have been of the *first* order, but his consistency and zeal endeared him to all the liberal inhabitants of the civilized world. The interment of the remains of this man was a marked day in Paris—all the patriotic establishments attending. The *national guards* lined all the streets through which the procession passed, and 200,000 spectators were present. Many speeches were pronounced over his grave—*Lafayette* leading the way, who was followed by the prefect of Paris, and other distinguished persons of several countries, who had loved this apostle of liberty. And, in the chamber of deputies, the seat that he had occupied, was occupied by a crown of laurel! A monument is to be erected to him, by general subscription.

As it regards the Belgians—they appear to have been left "to the management of their own concerns in their own way," for the present.

There are some notices of "his highness" the late duke of Brunswick—but the low and contemptible thing hardly deserves a paragraph.

Though the affairs of Greece were yet unsettled, the people had peace, and their sufferings were much reduced. They cultivate their fields with a reasonable hope that they may reap the harvest.

As to Switzerland, the Journal of Schafhausen says:—"We learn from several quarters, that the Russian Ambassador had delivered a note to the presiding canton, with the declaration that his sovereign, in concert with his allies, has resolved to maintain the present state of things in Europe, according to the treaties of Paris, and the act of the congress at Vienna."

Accounts from Rome, after mentioning the death of the Pope, say—Many foreigners arrive from Naples and Florence to witness the funeral of the holy father, who has left so small a fortune for his family, that they will scarcely have wherewith to maintain their rank. The sacred college is at this moment composed of 66 cardinals; 10 places are vacant. Of those 55, six are of the order of bishops, 39 priests, and 10 deacons. The chief cardinals are Pacca, who is dean of the sacred college; cardinal Ruffo Scilla, and cardinal Albani. Those absent at this time from Italy are Rohosphe of Austria, who is in Moravia; Ribera and Jevellanos in Spain; Silva, in Portugal; de Croi and Rohan Chabot, in Switzerland; Latil, in Scotland; Rudnay, in Hungary; and Isoard, in France. Of the existing cardinals, 26 were created by Pius VII, 24 by Leo XII, and 5 by Pius VIII."

An order was issued from the English admiralty office in November last, to restrict the infliction of corporal punishment in the navy. Commanders alone are permitted to direct such infliction, and are to sign a warrant previously, which is to be returned regularly to the admiralty office, and is to specify particularly the nature of the offence, and the proofs, and is to be countersigned by the flag officer, if on board of a flag ship. The number of lashes is limited even in the most extreme case, to forty-eight.

From the Liverpool Chronicle of the 11th of January we learn that the expenditures during the late election in that place was not less than £100,000. The sum spent by the friends of Mr. Denison was £46,000 and that spent by the friends of Mr. Ewart is understood to have been still larger. Nearly £20,000 have been collected towards the defraying of Mr. Denison's expenses, including Mr. Bolton's splendid donation of £10,000.

Every regiment in the British army is to be completed to its full establishment of 740 rank and file. The total increase will not be large, about 6,000 men.

Major Burney, the British ambassador to Ava, had had an audience of the king, after taking off his shoes which he had for a long time refused to do. The king it was expected, would send an ambassador to Calcutta. He entertained the major in the fullest splendor of oriental magnificence and sent a number of elephants for his use. Refreshments were served up in golden utensils.

The London "Court Journal" says—We can assure our readers that his majesty's present ministers have adjourned the recognition of Don Miguel *sine die*. When he has succeeded in proving himself ruler of Portugal *de jure*, as well as *de facto—and not till then*—the virtue of his claim will be admitted.

Henry Hunt, the famous English radical, has been elected to parliament, from Preston, by a majority of 338 votes over Mr. Stanly—who had been compelled to resign his seat in consequence of taking a place in the new ministry—but was, very unexpectedly, not re-elected.

France has now a *moveable* force of about a million of armed men.

The Mersey flour mills, in England, belonging to Mr. John Dumbell, employing *twenty-three pair of stones*, and said to be the largest mills in England, were burnt to the ground on the 8th of December.

The following piece of satire, in relation to the present king of England, is from a N. York paper:

of "As his royal highness was walking in the park, the her morning, with his hands behind his back, and his mouth open, as is his highness' custom, there happened to come on a shower of rain, upon which his highness, with his usual promptness, turned round to his secretary, Taylor, who was in attendance, and said, "Taylor, the rain comes into my mouth—what shall I do?" To this condescending interrogation, Taylor replied, "Had not your highness better shut it?" Upon which his highness, with that energy and decision which characterise his minutest actions, immediately shut his mouth, and no more rain found admittance during the remainder of the walk!"

POLAND.

Under our foreign head we have given an account of the recent revolution in Poland. There have been so many partitions, and re-unions, and re-partitions of Poland within the last forty years, that it requires some attention to geography and history to understand what is meant by the term. We presume, therefore, that the following brief sketch of the modern history and present state of this ill-fated country, will at this moment prove acceptable to our readers.

Ancient Poland was a large country of Europe lying between Germany, Russia, Turkey and Hungary. Including Lithuania, it contains 284,000 square miles, and 15,000,000 inhabitants.—The partition of Poland between Russia, Austria, and Prussia, took place at three distinct epochs, 1772, 1793, and 1795; and the result of the whole was as follows:—

	Sq. miles.	*Population.*
To Austria,	64 000	4,800,000
To Prussia,	62,000	3,500,000
To Russia,	158,000	6,700,000
	284,000	15,000,000

At the peace of Tilsit, (July 1807), Bonaparte stripped Prussia of the greatest part of her Polish possessions. Of these he gave a small portion to Russia, and erected the rest into a new state, called the grand dutchy of Warsaw, which he assigned to the king of Saxony. In 1809, after vanquishing Austria in the field, he compelled her to cede part of Galicia to Russia, and another part to his new grand dutchy. But all the arrangements of Bonaparte were overturned by the disastrous campaign of 1812: the Russians re-occupied Poland; and the congress of Vienna, while it decreed to Austria and Prussia a partial restitution of their late cessions, confirmed to Russia all the Polish and Lithuanian provinces acquired before 1795, conferring on her, in addition, the sovereignty of the central provinces, which constitute the present kingdom of Poland. Each of the three powers was enjoined by the congress to give to its respective portion of Poland as free a constitution as circumstances should permit.

The following table shows how the territory and population were divided between the three powers at the congress of Vienna.

	Sq miles.	*population.*
To Prussia,	29,000	1,800,000
To Austria,	30,000	3,500,000
Kingdom of Poland,	47,000	2,800,000
To Russia,	178,000	6,900,000
	284,000	15,000,000

The *kingdom of Poland*, as constituted at the congress of Vienna, is the seat of the present revolution. It comprises the chief part of that which, from 1807 to 1813, formed the dutchy of Warsaw. It consists of the central provinces of ancient Poland, bounded all along its frontier by the respective acquisitions of Russia, Austria and Prussia. Area 47,000 sq. miles. The population at present is estimated at 4,000,000.—This country, though subject to the same sovereign as Russia, was governed in every respect as a separate monarchy. The regal dignity is vested in the czar, represented by a viceroy, in whom, and in a cabinet of ministers, the executive government resides. The religion of the majority is the Catholic. The Protestants of different sects are also numerous; and there are many members of the Greek church. The Jews are computed to form a seventh part of the whole population. [*N. Y. Obs.*

DINNERS IN PARIS TO GEN. LAFAYETTE.

(*Abridged from the private correspondence of the Morning Herald.*)

The dinner of the English and Americans to the French, in commemoration of the late revolution, took place on Wednesday evening at a restaurateur's, at the place du Chatelet.

The hour appointed for the service of the entertainment was six o'clock; but it was not until seven o'clock that general Lafayette, in full uniform, as commander-in-chief of the national guards of France, entered the room, accompanied by the veteran general Mathieu Dumos, M. Odelcon Barrot, count Alexander Delaborde, the duc de Montebello, and several other French persons of consequence. The company, about 200 in number, received their distinguished guests in the manner you may conceive, and immediately after sat down to the most miserable repast that ever disgraced a tavern.

Mr. Buckingham, the chairman, rose to propose the first toast, which he prefaced by an eulogy of the bravery displayed by the parisians in their conflicts with the armed soldiers of the late despotism, and their still more glorious moderation after their victory. He then drew a parallel between the heroes of Thermopylæ and the Leonidas of the Louvre, declaring his opinion that the last equalled the former. He concluded by proposing the health of the three most popular rulers of the three most independent states in the universe—the kings of France and England, and the president of the United States of America.

The vice president having translated the toast into French, the whole company rose and drank it with the usual honors, after which, the music in attendance played your national hymn, "God save the king."

The chairman then rose to propose the health of an individual, who, although not a king, enjoyed more celebrity than the illustrious persons whose healths the company had just drank. The chairman observed that he was in the position of the Roman emperor, who, having exhausted all possible enjoyments, offered a reward to the man who should suggest to him a new pleasure—for that all possible terms of eulogy having been exhausted on the illustrious individual at his right hand, (gen. Lafayette), he was completely at a loss to find a new term capable of expressing his admiration of him. (Bravo, bravo!) He concluded by proposing "the health of the venerated citizen of both worlds—born in one, and adopted by the other—gen. Lafayette."

When the enthusiastic applause with which this toast was drunk had subsided, the illustrious champion of liberty rose and returned thanks in English, in the following terms:—

"Among the proudest enjoyments of my life, I place the sympathy and approbation bestowed on me by the British and American citizens here assembled. I want words to express my gratitude for the kind manner in which my name was introduced by your president. I have been for a long series of years a worshipper of the fire of liberty. (Loud and enthusiastic applause.) That fire first kindled in England—transplanted to America—which now blazes in France, and which will, ere long, spread itself into universal flame. (Shouts of applause.) The world is divided into two categories, the oppressors and the oppressed. It is also divided by two principles—divine right and the sovereignty of the people. Both are now in presence of each other, and blood may soon flow. On the part of France I disclaim every idea of aggrandizement. (Cheers.) Her endeavor was to vie in reciprocal friendship with all nations, persuaded the prosperity of one is not only compatible with, but contributes to, the safety of all. (Cheers.) I have the honor of proposing "the holy alliance—(a loud laugh)—of nation—(Loud cheers)—equality of rights, liberty all over the world, and the improvement and happiness of the human species."

It is hardly necessary to add, that the enthusiasm with which this proposition of the patriarch of freedom was hailed and complied with, was never exceeded.

The "parisienne" was played by the music when the health of Lafayette was proposed. The cheers which followed his speech having terminated, Adolphus Nourritt, the celebrated operatic performer, who was dressed in his uniform as officer of the garde nationale, sang in his best manner and with characteristic effect, the "Mar-

seilloise," the whole company joining in the chorus—"Marchez, Marchons," &c.

"The next toast was "the liberty of the press, the alpha and omega of the liberty of the world," which having been drunk, a young Frenchman of high literary distinction, M. Montemont, rose, and in an able and animated speech recapitulated the services which the press had rendered to liberty.

The vice president then proposed "the healths of the chief magistrates of Paris, the defenders of the barricads, the pupils of the schools, and the whole population of that Paris, which had expelled with ignominy the violators of the charter." Drank with enthusiasm.

M. Odillon Barrot then rose and returned thanks in French. I have not, gentlemen, (said he) like my gallant friend Lafayette, had an opportunity of learning English, while contending for liberty—(a laugh and applause)—and am obliged therefore to address you in my own language. (Applause.) I accept with pride the association of my name with the heroic population of Paris, and am doubly proud, considering that that association is by an assemblage of freemen representing the citizens of both worlds. The recollection of our violated rights gave us force and energy. The people rushed as it were without arms, and in their shirts, on drawn battalions, many of whom fell, but with the cry of liberty on their lips. (Cheers.) They annihilated tyranny under a shower of paving stones—brave soldiers—influenced by discipline and patriotism, remained *l'arme au bras.* (Arms supported.)—Our oppressors were obliged to call foreigners to their assistance, and ordered them to fire on their fellow creatures.—These, even, fought with reluctance, but they were dislodged from the most formidable position in Paris by a band of children. (Applause.) The more civilization advances, the more liberty acquires strength, and despotism becomes weak. The people of Paris have given to the world memorable examples of generous moderation, respect for order and for property. In the midst of the greatest exaltation, no private vengeances were exercised; no re-action took place; no cries of hatred were heard. Would this, I ask, have been the case in a revolution made in favor of aristocracy and despotism? (No, no, and cheers.) At the sight of their brothers lying dead in the streets, no sanguinary feeling was roused in the breasts of the Parisians, and they were seen leading, even with a marked (I may say, an exquisite) attention, to the frontiers, the man who had given the signal of carnage. Nay, at this very moment, the property of the oppressors is selling, and the produce will be religiously paid them. (Continued cheering.) We have sufficiently refuted, I hope, the calumnies heaped upon the French people, and the revolutions made in the name of the sovereignty of the people, in order to bring about a crusade of all nations against France. Let the government no longer attempt deceit. Fraud is no longer possible. Truth has shown with all the brilliancy of the sun of July. (Cheers.) The present meeting is a forerunner of the reconciliation of the world. It is now proved that individuals and not the nations, are ambitious. I heartily concur in the wish of Lafayette for universal reconciliation.—The time will come when the people will fail the sovereigns who wish to wage war on their fellow creatures, and when the sovereigns will find no instruments to shed human blood. The learned gentleman sat down amidst the loudest applause.

Some Swiss performers then executed one of their national airs; after which,

Gen. Baker proposed as a toast, "The bravest, the most faithful guardians of the civil rights of their country—the best rampart against foreign invasion, the national guard of France."

M. Alexander de Laborde, colonel of the third legion of Paris, returned thanks. Gentlemen, said he, a million of national guards already drove the barbarians to the frontiers of Asia; another million would be found to-day to do the same. So long as these three colors shall be united, [pointing to the flags of the three nations], the English, Americans and French, shall form the real national guard of the world.—Loud cheering.)

Nourritt's son then sang the "Parisienne," the company repeating in chorus the last verse, En avans marchons," &c.

Mr. Buckingham then proposed the health of the illustrious consort of the king—the good wife, the fond mother—and begged leave to couple with her the benevolent, bountiful, and agreeable women of Paris, and particularly, madame Odillon Barrott, who had contributed to instil the strong feeling of moderation evinced by the victors of July; who had relieved the agonies of the wounded, and received the last breath of the dying. (Drank with applause.)

The Swiss here sung another of their national airs.

Several other toasts were afterwards drank. The company separated at rather a late hour, highly delighted with the intellectual portion of the banquet.

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We stated a few days since, says Galignani's Messenger, that a deputation of gentlemen from Philadelphia had been received at the hotel de ville, by the prefect of the Seine, with an address expressive of the admiration entertained by the inhabitants of that city for the noble conduct of the Parisians during the glorious days of July. The deputation was introduced by gen. Lafayette. In the evening a grand dinner was given in honor of the occasion, at which Mr. Rives, the American minister, returned thanks for a toast of "The United States and the health of president Jackson," addressed the company as follows:—

"Permit me, gentlemen, to thank you for the honor you have done my country—an honor, it may, at least, claim to merit by its cordial sentiments for France. It was my good fortune, gentlemen to be an eye-witness of your glorious revolution of July, and to see, with unbounded admiration, how a population—brave and generous—can be forbearing after having been subjected to the most terrific trials; and what moderation it can exercise in the midst of a victory, purchased by so many noble sacrifices. But it was not necessary to have been a personal witness of your revolution, to admire and appreciate it. At the distance of more than a thousand leagues; beyond the Atlantic ocean, it has been felt and appreciated, in all its noble grandeur. The three memorable days have been hailed by every people as the triumph of human liberty; but with us, they have given rise to the same rejoicings as our national victories; we have celebrated your 29th July, as we celebrate our own 4th of July, with illuminations, processions, salutes and all the demonstrations of patriotic exultation. This is a proof that the ties which formerly connected the two nations in a glorious alliance, still retain all their moral force; the evidence of a sympathy, and fidelity to ancient recollections, which I hope, will ensure their cordial union, under the auspices of an enlightened and up, right king, whose constitutional throne, and noble character present the best of guarantees, at the same time for his own people and for foreign powers. I have the honor to propose a toast, which emanates from the bottom of all American hearts—'The king of the French, and the French nation.'"

We cannot resist adding an extract from the animated speech of general Lafayette:—

"Here I find, happily mingled together, all the recollections—all the sentiments and feelings of my life. I am surrounded by the grandsons of my early American companions, the sons of my comrades of '89, and my new brethren in arms of 1830. In this Hotel de Ville, twice the cradle of the freedom of Europe, have this day been presented the resolutions of the city of Philadelphia—of that city where, on the 4th of July, 1776, was proclaimed the declaration of independence, the date of a new era of liberty for the two worlds—of a liberty that, for the first time, was founded upon the genuine rights of the human race. Five years ago, at the commemoration of a great anniversary at Boston, on proposing as a toast 'The emancipation of the American hemisphere,' which had been effected in the course of half a century, I prophecied that before the next fiftieth anniversary came round, the toast would be 'The emancipation of Europe.' May this prediction be verified! A disciple of the American school, as you all well know,—and were I capable of forgetting it, there are many who would remind me of it,—it is most natural that I should drink to the memory of my teacher—my adopted father; I propose to you, 'The memory of Washington.'"

LAFAYETTE AND WELLINGTON.

At the setting of the chamber of deputies on the 14th Dec. last—speaking of certain propositions concerning the national guard, *Lafayette* said—

I decline to enter into the question of cantons and communes. But if I am asked if you are now to discuss whether all France shall arm, I answer, the question is already decided; the people did not wait in 1789 or 1830 to deliberate, but marched against the enemy—(sensation); we must therefore, prepare for war, as the best means of securing peace. We cannot hope to make all Europe in love with our institutions; there are those who still look with a jaundiced eye upon the accession of a citizen-king to our throne—(new movement.) The revolution of Belgium, the eldest daughter of one great week may yet excite uneasiness. At this moment you see Poland—(hear, hear), ready to rival in zeal and patriotism the friends of liberty, not only in France, but in all other countries, (fresh movements)! Poland—(hear, hear) is, perhaps, upon the the point of repairing the shame of the last year of Louis XV, and the immense fault which Napoleon committed when he neglected the occasion of restoring that fine country, after the three divisions which had destroyed it—(loud acclamations from the left.) We have announced our rule to be, that we will not allow other powers to interfere, not only in our affairs, but in the affairs of other countries.—Suppose foreign powers should think proper to seize upon Belgium, or to assist Holland, could we look on in cold blood? Certainly not—(loud cheers.) The same thing may happen on the side of Poland. Suppose Austria, prevailed upon by Prussia, or for any selfish purpose of her own was to make herself a party to the quarrel in Russian Poland—(violent murmurs, and marks of disapprobation.)

(Several voices.) This supposition is unreasonable.

M. Lafayette (turning towards general Sebastian)—I speak in the presence of the minister for foreign affairs who knows that the supposition is very natural. Why not then place ourselves in the fittest posture for defence? (cheers.)

The debate upon the remaining articles was adjourned over to the next sitting.

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At a banquet given by the seventh legion of the national guards of Paris to gen. *Lafayette*, a speech was pronounced by gen. Matthew Dumas, from which we make the following extract:

"Fifty years since, at the same season of the year, and if my memory is faithful, almost on the same day general Washington came accompanied by general Lafayette, to pay his first visit to the French army disembarked at Rhode Island, and to unite the arms and standards of the United States with the arms and standards of France. He returned to his head quarters, and I had the honor to form part of his escort. On the way, we passed near a small town, now become a very considerable one, when a crowd of children met us, each carrying a flambeau and filling the air with acclamations: they compelled the general to stop, and embraced his knees. Much affected, Washington turned to us, and said these memorable words: "We are about to open the campaign—God only knows what will be the fate of war; we shall perhaps be beaten—but here, (putting his hands on the heads of the young children), here is an army which our enemies will never conquer."

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In a debate on a late motion relative to the state of the country, in the British house of lords, the duke of *Wellington* said—

My lords, having voted against a similar motion in the last session, it is not my intention to vote for the inquiry now proposed by the noble and learned lord. I am perfectly aware of the difficulties and dangers in which the country is placed. It is not my intention, and it never has been my desire, to extenuate any of them; but I challenge the noble earl who accuses the late administration to come to an inquiry upon any part of the conduct of that administration, to which he attributes the difficulties and dangers of the country, and from which he declares that they proceed. I object to the inquiry in this session, as I did in the last year, for precisely the same persons, and for the very reasons stated by the noble earl. This inquiry, as proposed by the noble and learned lord, is to extend to the finances of the country—to the system of administering and executing the laws—to the state of the commercial and manufacturing interests—and, as the noble earl observed, even to machinery. Now, my lords, it is impossible you can have an inquiry on all these subjects, without exciting expectations, and involving the country in difficulties and dangers ten times greater than those under which it at present suffers —In addition to these reasons, it is not just towards the administration who have so lately taken upon themselves the conduct of affairs, that I should seek to involve them in difficulties in which I myself objected to be involved last session (hear, hear.) Besides, there is already a committee sitting above stairs for the purpose of inquiring into the poor laws, which can enter upon many of the points urged by the noble and learned lord. That point particularly as to levying rates from manufacturing property, as well as from the land, would, I imagine, come under their attention, together with many other points referred to by the noble and learned lord, to which I shall not advert from the lateness of the hour, but into which the committee will undoubtedly enter, as they will into that point I have mentioned. My lords, as I said before, I do not wish to extenuate the dangers and difficulties of the country; but I must say that the dangers and difficulties of the country did not originate from any thing that was done by the late administration. They originated from the difficulties abroad, and the example—the bad example—given by neighboring countries, and from the misrepresentations that went forth, and the false ideas that were entertained respecting what had passed in those countries, and from the want of knowledge here of the mischief brought on those countries by misfortunes which had occurred in the course of the last few months.

POLITICS OF THE DAY.

From the Columbia S. C. Times.

Extract of a letter from a respectable citizen of Alabama to a friend in this state, dated, 3d December, 1830.

"You are perhaps at this time in Columbia, surrounded with "disunion, nullification, convention, resistance, war and pestilence." I deplore your situation; indeed, I deplore the situation of the whole country, at least the southern section—but there is one thing that cannot be disguised, because two well known to those who have paid any attention to passing events for the last eight or ten years, namely, that your prominent politicians, have had a direct and active agency, in bringing the very state of things which now exist. Were not the pens of some of your ablest men, McDuffie and others employed in ridiculing the measures and principles of the *radical chief* and his party, and defending the omnipotence of the federal government. Did not Mr. Calhoun, (the darling of your state), do more to establish the doctrines of internal improvement as exercised by the general government than any other individual, and has he yet abjured those doctrines? Was not an able and independent senator of your state, driven from congress for resisting those very measures which you now repudiate? Do you not, after all, at your public meetings, to redress grievances, laud and toast those who have brought upon you your present burthens; and can you under all circumstances, expect the nation to confide in that pure, unsullied and disinterested motive by which you profess to be governed? Dear as I love my country, and much as I deprecate the idea of disunion, I would sooner dissolve every tie which binds me to it, than submit much longer to a system of oppression which has cruelly ground us down for several years past.—But when I do resist, let me not be found in the wake of those who have in the pursuit of their ambitious projects, recklessly forged our chains, and resisted in riveting them upon us."

[It may be proper to add, that the editor of the "Times"—one of the "radical school"—softens the points of the preceding letter, and asks "Are we to abandon *our* principles because *they*, (Messrs. Calhoun and McDuffie), have embraced?" "All are now ready and resolved to fight under *one* banner—the RADICAL FLAG."]

THE HARTFORD CONVENTION.

From the Norwalk Gazette.

At the late session of the superior court at Fairfield, the hon. *R. M. Sherman*, one of the members of the Hartford convention of 1814, was put under oath, and under the pains and penalties of PERJURY, gave a history of the proceedings of that far famed meeting. The testimony thus elicited is given below.

We believe that this question is now for the first time presented to the public in its present form. This is the first time that a member of that body has been cited before a court of justice to answer for its objects and proceedings. Is the history which Mr. Sherman has given a faithful one? Has he, in compliance with a solemn oath, told "the truth, the whole truth, and nothing but the truth," in this matter? Those who know the personal character and integrity of the witness, will know also how to answer these questions. The testimony was given in the presence of a large and respectable audience, composed of men of both political parties interested in the question, and all seem to have come to about the same conclusion in regard to it.

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To the editor of the Gazette.—Previous to the trial of Whitman Mead, on the information for a libel, of which you gave a brief notice in your last number, the prisoner moved the court for a subpœna to Mr. Sherman, of Fairfield, Mr. Goddard, of Norwich, and many others, as witnesses in his behalf. It was allowed by the court, and was served on Mr. Sherman, but could not be, seasonably, on Mr. Goddard, on account of the lateness of his application. One of the articles charged as libellous, compared a recent political meeting at Hartford with the Hartford convention, and the prisoner supposed that a full development of the proceedings of that convention would furnish a legal vindication of the article in question. With a view to such development he wished the testimony of the gentlemen above named. At the instance of the prisoner, Mr. Sherman testified on the trial of the case, and the enclosed paper contains his testimony, exact in substance, and very nearly in his language—which you are at liberty to publish.

STATE, vs. WHITMAN MEAD. } Hon. R. M. SHERMAN'S testimony.

Question by the prisoner.—What was the nature and object of the Hartford convention.

Answer.—I was a member of that convention. It met on the 15th December, 1814. The United States were then at war with Great Britain. They had, in their forts and armies twenty-seven thousand effective men—of these about thirteen hundred only were employed in New England. The war had been in operation two years and a half. We had a sea coast of almost 700 miles to protect, and with the exception of about thirteen hundred men, had the aid of no military force from the United States. By internal taxes, all others having become unproductive by reason of the war, the national government raised large sums from the people within our territory. Direct taxation was the only resource of the state governments, and this had been carried to as great an extreme in Connecticut as could be sustained. The banks which furnished all our currency, either withheld their accommodations, or stopped payment, and the people were embarrassed by a general stagnation of business. Powerful fleets and armies lay off our coasts, and were making or threatening invasions in all parts of our defenceless sea-board. Commodore Decatur, with his squadron, had taken refuge in the waters of Connecticut, and attracted a powerful concentration of the enemy's forces on our borders. Castine, if I mistake not, and some other parts of the territory of Massachusetts, had fallen into the hands of the British. The New England states under all these disadvantages, were obliged to protect themselves by their own militia, at their own expense. The expenses of Connecticut greatly exceeded our resources. The duration of the war could not be foreseen, and our credit became exhausted. Attempts were made to borrow money, but without any adequate success. The national constitution prohibited the emission of bills of credit. In this extremity, while the legislature was in session at New Haven in October, 1814, a communication was received from the legislature of Massachusetts, proposing a convention of delegates from the New England states, to consult on the adoption of measures for their common safety. This communication was referred to a joint committee of both houses. General Henry Champion and myself were appointed from the upper house. He was chairman of the committee. I drew the report, recommending a compliance with the proposal made by the state of Massachusetts, and assigning the reasons at length. This report was published by order of the legislature, and extensively circulated in the newspapers of this and other states. Seven delegates were appointed to represent this state in the convention. As soon as it was organised, Mr. Otis, a delegate from Massachusetts, proposed, after some prefatory remarks, that it should be recommended to our several legislatures, to present a petition to the congress of the United States, praying that they would consent that the New England states, or so many of them as should agree together for that purpose, might unite in defending themselves against the public enemy;—that so much of the national revenue as should be collected in these states should be appropriated to the expenses of that defence; that the amount so appropriated should be credited to the United States—and that the United States should agree to pay whatever should be expended beyond that amount. This proposal was approved by the convention. The same views had been stated here, before the meeting of the delegates. By the constitution of the United States, no such compact for mutual defence could be formed, without the consent of congress. By thus augmenting our immediate resources, and obtaining the national guaranty that the expenses of the war, to be increased by the states thus uniting, should be ultimately paid out of the national treasury, it was supposed that our credit as well as our present pecuniary resources, would be enhanced. A debate was had in the convention as to certain amendments to the constitution of the United States, to be proposed for adoption by the state legislatures. One was, that congress should not have power to declare war without the concurrence of two-thirds of both houses. I cannot, from recollection, detail the proposed amendments, but they appear on the printed report of the convention, of which I have a copy at my office, which the prisoner may use on the trial, if he pleases. A committee, of whom I was one, was appointed by the convention to draw up that report, to present to their respective legislatures. The proposal of Mr. Otis was adopted with little variation. This report was immediately printed by order of the convention, and was circulated throughout the country.

Among other things, as may be seen by that report it was recommended to the legislatures represented in the convention, to adopt measures to protect their citizens from such conscriptions or impressments as were not authorised by the constitution of the United States. This resolution originated from a project of the then secretary of war, which I believe was not adopted by congress.

The secretary of the convention kept a journal of their proceedings. This, as I understand, was deposited by Mr. Cabot, the president, in the office of the secretary of the state of Massachusetts, and a copy transmitted to Washington and lodged in the office of the secretary of state of the United States. It was afterwards published in certain newspapers. I saw it in the American Mercury, a newspaper published at Hartford, by Mr. Babcock. The legislatures of Massachusetts and Connecticut, pursuant to the recommendation of the convention, sent a delegation to Washington to present their respective petitions to the congress of the United States. The gentlemen sent from Connecticut were Mr. Terry, Mr. Goddard, and I think, Mr. Dwight. On their arrival, the treaty of peace, concluded at Ghent, reached the national government, and further measures became unnecessary.

This is an outline of the origin and proceedings of the Hartford convention. There was not, according to my best recollection, a single motion, resolution, or subject of debate, but what appears in the printed journal or report. If any further particulars are requested, I will state them.

Question by the prisoner.—Was it not an object of the convention to embarrass and paralize the goverment of the U. States in the prosecution of the war with Great Britain.

Answer.—It was not. Nothing of the kind was done or intended by the convention, or, so far as I know or believe, by those by whom it was originated. On the contrary, its principal object was a more effectual co-operation in that war, as to the defence of the New England States.

Question by the prisoner.—Has not that convention been generally reputed in the United States to be treasonable!

Answer.—Much has been said and published to that effect, but without the least foundation. I believe I know their proceedings perfectly; and that every measure done or proposed, has been published to the world. No one act has ever been pointed out, to my knowledge, as inconsistent with their obligations to the United States, nor was any such act ever contemplated by them.

MINT UNITED STATES—OPERATIONS, 1830.

Mint of the U. S. Philadelphia, 1st Jan. 1831.

SIR: I have the honor to submit a report on the general transactions of the mint within the last year.

The coinage effected within that period amounts to $3,155,620, comprising $643,105 in gold coins, $2,495,400 in silver, $17,115 in copper, and consisting of 8,357,191 pieces of coin, viz:

Half eagles,	126,351 making	$631,755
Quarter eagles,	4,540	11,350
Half dollars,	4,764,800	2,382,400
Dismes,	510,000	51,000
Half dismes,	1,240,000	62,000
Cents,	1,711,500	17,115
	8,357,191	$3,155,620

Of the amount of gold coined within the last year, about $125,000 were derived from Mexico, South America, and the West Indies; $19,000 from Africa, $466,000 from the gold region of the United States, and about $33,000 from sources not ascertained.

Of the gold of the United States above mentioned, $24,000 may be stated to have been received from Virginia, $204,000 from North Carolina, $26,000 from South Carolina, and $212,000 from Georgia.

In the last annual report, the progressive development of the gold region of the United States was illustrated by referring to the increase of the annual receipts from North Carolina, which, previous to 1824, had been inconsiderable, but, from that year to 1829, inclusive, had advanced from $5,000 to $128,000, and, also, to the then novel occurrence of gold having been received at the mint from Virginia and South Carolina, about $2,500 having been received from the former, and $3,500 from the latter. The past year exhibits, in relation to all those states, a conspicuous increase in the production of gold, and presents, also, the remarkable fact of $212,000 in gold received from Georgia, from which state no specimen thereof had been presented at the mint in any previous year.

The coinage above exhibited exceeds the amount of any former year. The demand remains, nevertheless, unabated; and the mass of bullion now in the vaults of the mint is large beyond any previous example.

These facts confirm the expediency of the provisions for extending the mint establishment, and indicate that the measure has not been premature. In relation to the structure erecting under those provisions, I have the satisfaction to state, that, although its progress has been, during a part of the past season, unexpectedly impeded, the preparations making for a vigorous prosecution of the work at the earliest practicable moment, authorise the hope that the commencement of the operations of coinage in the new edifice will be deferred but for a short period beyond the time contemplated when the foundation of the building was laid, namely the fourth of July of the present year. Nor is a less confident hope entertained that the character of the structure, as a public edifice, and its efficiency for the purpose of its destination, will be found to accord with the wishes of the government, as indicated by the appropriations granted for the object.

I have the honor to be, with great respect, your most obedient servant,

SAMUEL MOORE.

The president of the United States.

THE LIVE OAK.

FROM THE [GEORGIA] CONSTITUTIONALIST.

The secretary of the navy proposes to abandon the attempt made by the government to establish plantations of live oak. He supposes the navy can never be in want of this timber, when it is indigenous to the coasts of the United States from the St. Mary's to the Sabine; and he does not perceive the necessity of cultivating it *from the acorn.* We are not prepared to speak with certainty upon this subject, but it is one of first importance, and much caution and investigation should be exercised before the policy already adopted is abandoned. The live oak, if we mistake not, is found *to the north* of the St. Mary's, but we think Mr. White, of Florida, who is opposed to the secretary's views, is correct, when he says, "the live oak is found sparsely scattered at most remote distances, and in small bodies. If artificial culture be not resorted to, and the fires kept out of the reservations, there will not be enough in fifty years, to build a West India squadron." The same authority declares "there are 70,000 live oak trees upon the land purchased by the government; which in a century or even a quarter, will be worth ten times the amount ever expended upon them." The idea of planting acorns for the benefit of the navy, has been sometimes ridiculed—by those who do not remember how true it is, that "large oaks from little acorns grow." The most venerable grove we have ever seen was of live oak, the acorns of which had been planted seventy years ago. Whoever visits *Bonaventure*, near Savannah, will see that it is not impracticable to cultivate plantations of these noble trees. And in the woods of Florida, avenues of large oak are found, planted, it is supposed, by a race long since extinct—a race, civilized and industrious—of whose existence no evidences now remain—but the scattered and worn implements of husbandry found in the soil—the traces of roads, and these majestic trees.

TWENTY-FIRST CONGRESS—2d SESSION.

SENATE.

February 3.—A message was received from the president of the United States on the subject of the sale of land at the Crawfordville land office in Indiana, which was referred to the committee on public lands.

Mr. *Woodbury* presented the memorial of sundry citizens of Portsmouth, N. H. praying the enactment of a law to regulate silver coins.

Mr. *Hayne* presented the petition of the clerks in the office of the fourth auditor, (Amos Kendall), praying an increase of salary.—The petition stated the great responsibility attached to their situation—that their salaries were lower than those of clerks in other offices—that the duties they had to perform engrossed their whole time, leaving them no other means to acquire emoluments for the support of their families and the education of their children—and that their present salaries were inadequate thereto: it was referred to the committee on finance.

Mr. *Webster* reported a bill giving additional jurisdiction to district courts in several states: it was read a first time.

Mr. *Dickerson* submitted the following resolution:

Resolved, That the secretary of the treasury be requested to communicate to the senate the annual amount of drawbacks allowed upon refined sugars, from the 1st day of January, 1825, to the 1st day of January, 1831; and that he be further requested to communicate to the senate any information he may possess as to the frauds committed or attempted to be committed, under the laws giving a drawback on refined sugars.

In the absence of Mr. *Grundy*, the resolution submitted by him yesterday, relative to the examination of witnesses by the committee of enquiry into the post-office department, was, on the motion of Mr. *Holmes*, laid on the table.

On motion of Mr. *Dudley*, the bill making an appropriation of $6000 annually to the Seneca tribe of Indians, and for other purposes, with certain amendments, as proposed by Mr. *Smith*, of Md. was taken up and considered in committee of the whole.

Mr. *Smith*, of Md. explained the object of the several amendments and of that in particular which went to appropriate the stock, at present vested in the three per cents for the benefit of the Seneca Indians, to the

use of the United States, on the payment to them in lieu of the interest on the fund, of $6,000 per annum.

Mr. *Forsyth* opposed the bill, and urged various objections to it on principle. He contended that there was no necessity for a legislative measure on the subject. Mr. *Sanford* and Mr. *Bibb* opposed the amendments to the bill, and contended that to pay the Indians less than they had heretofore received, would be a breach of public faith—one of the amendments was rejected and the rest adopted, and the bill ordered to a third reading, and the amendments to be engrossed. [The bill was passed on the 7th.]

The senate then went into executive business and after being engaged therein a short time, adjourned.

February 4. The *vice president* communicated a report from the secretary of the treasury showing the condition of the banks in the District of Columbia.

The *vice president* also communicated the memorial of the president and directors of the Maysville, Washington, Paris, and Lexington turnpike road company, praying for an appropriation by the government of the United States of eighty thousand dollars, to aid in the completion of the construction of that road; and offering to permit one line of mail stages to run on it free of toll, until the whole amount of the appropriation, with interest, shall be refunded. It was referred to the committee on roads and canals.

Mr. *Burnet* presented the memorial and joint resolution of the legislature of Ohio, praying for a donation of public lands, to aid in the construction of a free turnpike road from the river Ohio to Lake Erie, at Cleaveland. They were referred to the committee on roads and canals.

Two bills for the relief of individuals were reported.

Mr. *Johnston* presented memorials from Fulwar Skipwith, praying indemnification for French spoliations committed prior to 1800—and for compensation for services as American consul general in France—the first was referred to the committee on commerce, and the last laid on the table.

Mr. *Livingston* introduced a bill relative to the duties of the clerks employed in the several executive departments. It was twice read, and referred to the judiciary committee.

Mr. *Woodbury*, from the committee on commerce, made an unfavorable report on the memorials for the establishment of a hospital for sick and disabled seamen, near the junction of the Ohio and Mississippi rivers. It was ordered to pe printed. [The report was concurred in next day].

Mr. *McKinley*, from the judiciary committee, to whom was referred the joint resolution relative to the pay of members of congress, reported that it should be rejected, on the ground that there was no necessity for joint legislation, inasmuch as each house had ample power to effect the object in view.

Mr. *Barton* submitted the following resolution:

Resolved, That the committee on the public lands be instructed to inquire into the expediency of issuing patents for lands to the representatives of persons who have died since the confirmation of their claims.

Mr. *Grundy* called up the resolution, which he had submitted the day before yesterday, declaring the sense of the senate, that the committee, appointed to examine the present condition of the post office department, were not authorised to call before them as witnesses the persons who had been removed from office by that department, for the purposes of testifying as to the causes of their removal.

Mr. *Grundy* delivered his sentiments in support of the resolution, and gave a history of the proceedings of the committee up to the present time.

Mr. *Clayton* opposed the resolution, adding other information touching the proceedings of the committee; going at considerable length into a comparison of the fiscal concerns of the department under the present post master general, with its fiscal concerns under his predecessor, and animadverting with severity upon the existing administration of that department.

Mr. *Woodbury* and Mr. *Holmes* took a part in the debate. Before Mr. H. had concluded, he gave way to enable the senate to attend to executive business.

February 7. The *vice president* communicated a letter from the post master general, accompanied by copies of all contracts entered into by him or his predecessor, in which additional allowance had been made; copies of contracts existing when his predecessor came into office, on which similar allowances had been made.

On motion of Mr. *Barton*, the committee on public lands were discharged from the further consideration of the subject of a road from Madison to Indianapolis; the subject of asylums for paupers, and the petition for land offices at Washington, Mississippi.

Mr. *Kane* presented memorials from the legislature of Illinois, praying for the privilege of relinquishing the school lands, and locating others in their stead, and for an appropriation to aid the state in making a road from Vincennes to St. Louis.

Mr. *Hendricks* submitted the following resolution, which was twice read and agreed to:

Resolved, That the committee on the public lands be instructed to inquire into the expediency of sanctioning the selections already made, so far as the same may remain unsold, of the Michigan road lands, and of permitting other selections to be made in lieu of those sold at the land offices at Crawfordsville and fort Wayne.

Mr. *Barnard* submitted the following resolution:

Resolved, That the committee on naval affairs be instructed to inquire into the expediency of increasing the pay and emoluments of masters commandant in the navy of the United States; and, also, of allowing additional compensation to lieutenants when acting as *first lieutenants* of a ship of the line, frigate, or sloop of war, according to the rate of the vessel.

The *vice president* requested the senator from Maryland, [general *Smith*] to take the chair, as he had to meet the commissioners of the sinking fund this day.

Mr. *Brown*, of North Carolina, introduced a bill to reduce the duty on imported sugar.

Mr. *Brown* moved to refer the bill to a committee on commerce. The motion was rejected; yeas 16; nays 25.

On motion of Mr. *Johnston*, of Louisiana, it was then referred to the committee on manufactures.

Twenty or thirty private bills were received from the house of representatives.

The bill to settle the claims of James Monroe was received from the other house, read a first and second time and ordered to lie on the table, until to-morrow.

The resolution of Mr. *Grundy*, declaring that the select committee, appointed to examine into the present condition of the post office department, are not authorised to call witnesses who have been removed before them, for the purpose of ascertaining the causes of their removal, was again taken up.

Mr. *Holmes* concluded his speech against the resolution.

Mr. *Grundy* commenced a reply in support of the resolution; but before he concluded, the senate adjourned.

February 8. On motion of Mr. *McKinley*, who stated that the indisposition of a senator [Mr. *Tazewell*] prevented his attendance in the senate to day, the election of a printer to the senate was postponed until tomorrow at one o'clock.

Mr. *Clayton* presented the memorial of sundry citizens of New Castle, Delaware, praying the removal of the custom house from Wilmington to that place.

Mr. *Ruggles* presented the petition of sundry inhabitants of Licking county, Ohio, praying an alteration in the route of the Cumberland road—referred.

Mr. *Benton* asked leave to bring in a bill to abolish the duty on alum salt, and supported the object of the measure by reading a number of extracts of letters and other documents, going to show the operation of the salt duty upon the people: At the conculsion of his quotations and remarks,

The *vice president* observed, that, inasmuch, as a bill was now pending before the senate to repeal the duties on imported articles, in which salt is included, the motion of the senator from Missouri was not in order.

Mr. *Benton* appealed to the senate from the decision of the chair.

On motion of Mr. *Hayne*, the whole subject was laid on the table.

Various bills relating to private claims were read and disposed of.

The bill for the adjustment of the claims of James Monroe was taken up, read a second time, and referred to a private committee consisting of Mr. *Hayne*, Mr. *Frelinghuysen*, Mr. *Sanford*, Mr. *Bell* and Mr. *Iredell*.

The resolution moved yesterday by Mr. *Barnard* was taken up, amended so as to read in the following form, and passed.

Resolved, That the committee on naval affairs be instructed to inquire into the expediency of increasing the pay and emoluments of masters commandant in the navy of the United States; and, also, of allowing additional compensation to lieutenants, when acting as *first lieutenants* of a ship of the line, frigate, or sloop of war, according to the rate of the vessel.

On motion of Mr. *Barnard*, the senate proceeded to the consideration of executive business.

Adjourned until to-morrow.

February 9. The *vice president* communicated a letter from the post master general, transmitting a statement of the names and salaries of the clerks in his department.

The *vice president* communicated a report from the commissioners of the sinking fund, detailing the measures that have been authorised by the board subsequent to their last report of the 6th February, 1830. It was laid on the table and ordered to be printed:

Mr. *Webster* presented the petition of the inhabitants of Brookfield, Massachusetts, as also the petition of the prudential committee of the American board of commissioners for foreign missions of Massachusetts, praying that all treaty stipulations with the Indians may be faithfully observed; and they were laid on the table.

On motion of Mr. *Grundy*, the report of the post master general, made to the senate at the last session, on the receipts of the post office at Washington, was ordered to be printed.

Mr. *Barton* reported a bill confirming the selections heretofore made of lands for the Michigan road in Indiana.

The *vice president* communicated a letter from the commissioner of the general land office, transmitting statements shewing the quantity of lands surveyed, which have not been brought into market; the quantity surveyed in each state and territory since the year 1826, and the amount received from sales in each state and territory. It was referred to the committee on public lands, and ordered to be printed.

On motion of Mr. *McKinley*, the senate proceeded to the election of a printer for the ensuing two years. The first two ballotings, the numbers were for Duff Green 22, Gales & Seaton 22—scattering 3. The third ballot the numbers stood, Duff Green 23, Gales and Seaton 22, scattering 2, and on the fourth ballot *Duff Green* received 24 votes, Gales & Seaton 22 votes and F. P. Blair 1 vote, whereupon the *vice president* stated, that forty-seven votes having been given, twenty-four were a majority of the whole; and Duff Green having received that number, he was duly elected printer to the senate.

The resolution declaring that the select committee appointed to examine the present condition of the post office department, were not authorised to call before them persons removed from office, for the purpose of ascertaining the causes of their removal, was again taken up.

Mr. *Grundy*, concluded his speech in support of the resolution.

Mr. *Hendricks*, made a few explanatory remarks, and opposed the resolution.

Mr. *Clayton* commenced his rejoinder, against the resolution, and continued to speak nearly two hours, but gave way, at half past four o'clock, for a motion to adjourn.

The senate accordingly adjourned until twelve o'clock to-morrow.

February 10. Mr. *Benton* withdrew the bill reported by him a few days since to repeal the duty on imported alum salt.

Mr. *Poindexter* reported a bill concerning Martha Randolph, the daughter of Thomas Jefferson, deceased, which was read and referred to a select committee.

Mr. *Woodbury* gave notice that he should to-morrow ask leave to report a bill to repeal the duty on foreign books.

The senate took up the resolution concerning the examination of witnesses, as to the causes of their removal from the post office. Mr. *Clayton* concluded his speech; Mr. *Benton* replied, and was followed by Mr. *Woodbury*, who gave way to a motion for adjournment.

HOUSE OF REPRESENTATIVES.

Thursday, Feb. 3.—The *speaker* laid before the house a communication from the secretary of war, on the subject of the Ocracock inlet.

On motion of Mr. *Fry*, it was

Resolved, That the judiciary committee be instructed to inquire into the expediency of amending the laws relating to patents, so as to place aliens who have applied to become citizens, on an equal footing with citizens or aliens, who have resided two years in the United States.

A bill for the sale of the lands in the state of Illinois, reserved for the Salt Springs on the Vermillion river, in that state, was read a third time, and on motion of Mr. *Vinton*, its further consideration was postponed until to-morrow.—[Passed on Saturday.]

The following bills were then read a third time and passed:

A bill to direct the manner of issuing patents on confirmed land claims in the territory of Florida.

A bill to repeal the charges imposed on passports and clearances.

A bill to authorise the proper officers of the treasury to credit the account of the treasurer of the United States with the amount of the unavailable funds with which he stands charged.

We very briefly noticed the consideration of the bill making appropriations for the support of government on this day, in our last REGISTER; but as the amendment under discussion is one of great importance, and has awakened great solicitude in the public mind, we annex the following:

The question being on striking out the salary and outfit for the minister to Russia,

Mr. *Chilton* being entitled to the floor, stated that in consequence of the frequent occupation of the floor recently, and the kindness with which he had been heard, he would not now trespass further on that kindness, but would yield the floor.

Mr. *Polk* then moved the previous question.

Mr. *E. Everett* asked if the effect of the previous question would not be to cut off all the amendments to the bill.

The *speaker* stated that it would cut off only such as had not been concurred in by the house, and that the house had concurred in all but this.

The motion for the previous question was not seconded by a majority.

Mr. *Barges* then occupied the floor in reply to the attacks made on him and his motives, on the motion to strike out the appropriation. He spoke about an hour and three quarters, holding the house in silent and continued attention throughout.

The house then adjourned.

Friday, Feb. 4. Mr. *Tucker*, asked and obtained leave to lay on the the table an amendment to the bill yesterday reported by the committee on manufactures to repeal part of the act to reduce the duty on salt:

If adopted, the bill will read as follows:

"*Be it enacted*, &c. That all acts and clauses of acts imposing a duty on salt, be and the same are hereby repealed."

Mr. *Rencher* submitted a memorial of merchants and other citizens of Wilmington, in North Carolina, upon the subject of differences in the duties on tonnage on American and Spanish vessels, imposed by the Spanish government of the Island of Cuba; and the high duties imposed by the government of Portugal, on American rice, which was referred to the committee on commerce.

Several reports from the committee on private cases were received.

Mr. *Drayton*, reported a bill to reduce the number of cadets at the United States military academy—which was twice read and committed. Mr. *Drayton* also reported a bill for the settlement of the claims of South Carolina against the United States—which was made the special order of the day for Monday week.

Mr. *Verplanck* reported the bill from the senate for the construction of the Cumberland road through the states of Ohio, Indiana and Illinois, with an amendment—it was committed.

The house then resumed the consideration of the bill yesterday reported by the committee on manufactures

to increase the present duty on salt imported, and the question being on the *rejection* of the bill—

An animated debate ensued, in which Messrs. *Maxwell*, of Va. *Chilton*, *McCreery*, *Thompson*, *Haynes*, *Sterigere*, *Huntington*, *Wilde*, *Mallary* and *Nuckolls*, took part. Before any disposition was made of the bill, the allotted hour had expired.

The bill for the relief of James Monroe was read the third time; and the question being, "shall it pass?"

Mr. *Chilton* called for the yeas and nays on the question, and they were ordered by the house. Being taken, they stood as follows:

YEAS—Messrs. Arnold, Bailey, J. S. Barbour, Bartley, Bates, Beckman, Bell, Brown, Buchanan, Butman, Cambreleng, Campbell, Childs, Coleman, Condict, Conner, Coulter, Crockett, Creighton, Crocheron, Crowninshield, Davenport, John Davis, Deberry, Denny, De Witt, Dickinson, Doddridge, Duncan, Dwight, Eager, Earll, George Evans, Joshua Evans, Edward Everett, Horace Everett, Finch, Forward, Gilmore, Gordon, Green, Grennell, Gurley, Hawkins, Hemphill, Hinds, Hodges, Holland, Howard, Hughes, Ingersoll, Thos. Irwin Wm. W. Irvin, Jarvis, Johns, Richard M. Johnson, Kennon, Lent, Mallary, Martindale, Martin, McCreery, McDuffie, Mercer, Miller, Mitchell, Monell, Norton, Nuckolls, Overton, Pearce, Pettis, Ramsay, Randolph, Reed, Rencher, Richardson, Rose, Rossel, Scott, Wm. B Shepard, Shields, Semmes, Sill, Ambrose Spencer, Richard Spencer, Sterigere, Stephens, Strong, Sutherland, Taliaferro, Taylor, Test, Tracy, Varnum, Verplanck, Washington, Wayne, Camp. P. White, E. D. White, Wilde, Wilson, Young—104.

NAYS—Messrs. Alexander, Allen, Alston, Anderson, Angel, Archer, Armstrong, Noyes Barber, Barnwell, Barringer, James Blair, John Blair, Bockee, Boon, Borst, Bouldin, Broadhead, Cahoon, Chandler, Chilton, Claiborne, Clay, Clark, Coke, Cooper, Cowles, Craig, Crane, Crawford, W. R. Davis, Desha, Draper, Drayton, Ellsworth, Findlay, Foster, Fry, Gaither Hall, Halsey, Harvey, Haynes, Hoffman, Hubbard, Hunt, Huntington, Ihrie, Isacks, Cave Johnson, Kincaid, Perkins King Adam King, Lamar, Lea, Leavitt, Lecompte, Letcher, Lewis Loyall, Lumpkin, Lyon, Magee, Marr Thomas Maxwell, Lewis Maxwell, McCoy, McIntire, Muhlenburg, Pierson, Polk, Potter, Roane, Sanford, Aug. H. Shepperd, Wm. L. Storrs, Swann, Swift, Wiley Thompson, John Thomson, Trezvant, Tucker, Vance, Vinton, Weeks, Whittlesey, Williams, Yancey—88.

So the bill was PASSED.

On motion of Mr. *Martin*, the bill was amended to read as follows: "A bill to provide for the final settlement and adjustment of the various claims preferred by James Monroe against the United States."

Mr. *McDuffie* submitted a motion that the house do now take up the bill to compensate Susan Decatur, widow and legal representative of capt. Stephen Decatur, deceased, et al.

Mr. *Williams* said that this was as good a time as any other to try the question, whether the house meant to consider the bill at the present session, and he therefore called for the yeas and nays on the question of consideration. They were ordered by the house, and being taken, stood as follows:

YEAS—Messrs. Anderson, Archer, John S. Barbour, Borst, Broadhead, Brown, Buchanan, Cambreleng, Campbell, Carson, Coleman, Condict, Coulter, Craig, Crane, Crawford, Crowninshield, Warren R. Davis, Deberry, De Witt, Dickinson, Draper, Drayton, Dwight, Eager, Earll, Jos. Evans, E Everett, Finch, Foster, Fry, Gaither, Gilmore, Gurley, Halsey, Haynes, Hemphill, Hinds, Hodges, Holland, Hoffman, Howard, Hubbard, Ihrie, Ingersoll, Thomas Irwin, Isacks, Jarvis, R. M Johnson, Cave Johnson, Lea, Lent Lewis, Martin, Thomas Maxwell, McCreery, McDuffie, McIntire, Mercer, Mitchell Monell, Muhlenburg, Nuckolls, Pettis, Polk, Powers, Randolph, Rencher, Sanford, Scott, Sill, Ambrose Spencer, Richard Spencer, Sterigere, Stephens, Sutherland, Taylor, Verplanck, Washington, Wayne, Weeks, Camp. P. White, E. D. White, Wilde, Wilson—85.

NAYS—Messrs. Alexander, Allen, Angel, Armstrong, Arnold, Bailey, Noyes Barber, Barnwell, Barringer, Bates, Baylor, Beckman, James Blair, John Blair, Bockee, Boon, Bouldin, Butman, Cahoon, Chandler, Chilton, Claiborne, Clay, Clarke, Cook, Conner, Cooper, Cowles, Crockett, Creighton, Crocheron, Daniel, Davenport, John Davis, Denny, Desha, Doddridge, Duncan, Ellsworth, George Evans, Horace Everett, Findlay, Gordon Green, Grennell, Hall, Hammons, Harvey, Hughes, Hunt, Huntington, W. W. Irvin, Johns, Kendall, Kennon, Kincaid, Perkins King, Adam King, Lamar, Lecompte, Letcher, Loyall, Lumpkin, Lyon, Magee, Martindale, McCoy, Miller, Overton, Pierson, Potter, Reed Richardson, Roane, Rose, Russel, Wm. B. Shepard, Aug. H. Shepperd, Shields, Semmes, Standifer, W. L. Storrs, Strong, Swann, Swift, Taliaferro, Test, Wiley Thompson, John Thomson, Tracy, Trezvant, Tucker, Vance, Varnum, Whittlesey, Williams, Wingate, Yancey, Young—100.

So the house refused to consider the bill.

Various private claims were considered—and then the house adjourned.

Saturday, Feb. 5. Mr. *Hunt* reported the bill to authorise the state of Missouri to sell the lands reserved for the use of schools, a seminary of learning, and Salt Springs, in that state.

Mr. *Wickliffe* reported a bill explanatory of an act for the relief of officers and soldiers of the Virginia line and navy, and of the continental army during the revolutionary war, approved 30th May, 1830, which was twice read.

Mr. *Duncan*, from the same committee, to which was referred the amendments of the senate to a bill to establish a land office in the territory of Michigan, and for other purposes, reported the agreement of the committee in the said amendments.

Mr. *Maxwell*, of New York, from the committee on accounts, made a report on the memorial of the witnesses in the case of judge Peck, attending here during the last session, accompanied by the following resolution:

"*Resolved*, That the clerk of this house be authorised to pay to the witnesses who attended before the committee on the judiciary, in the case of judge Peck, at the last session, the same compensation for their attendance and mileage, respectively, as have been allowed to the witnesses who have attended the trial of the impeachment, at the present session, deducting therefrom the amount allowed to them at the last session."

The resolution was agreed to.

Mr. *Blair*, of Tennessee, from the committee on internal improvement, reported the bill from the senate, to amend the act granting certain relinquished and unappropriated lands, to the state of Alabama, for the purpose of improving the navigation of the Tennessee, Coosa, Cahawba, and Black Warrior rivers, without amendment; and it was made the order for this day.

Mr. *Everett*, of Massachusetts, from the select committee appointed on the memorial of the trustees of the New England asylum for the blind, reported a bill providing for a grant of land to the New England asylum for the blind; which was twice read and committed.

Mr. *Blair*, of Tennessee, from the committee on internal improvements, which was instructed to inquire into the expediency of procuring to be made by the board of engineers of the United States a survey of the rivers Tennessee and Holston, and an estimate of the improvements of the same, from the place commonly called "the Suck," on the Tennessee river, to the town of Knoxville, on the Holston river, made a report; which was read and laid on the table.

Mr. *Blair*, from the same committee, which was instructed to inquire into the expediency of having an examination and report made of the dyke, or levee of Bonnel Carre Point, in the state of Louisiana, made a report thereon; which was read and laid on the table.

The house resumed the consideration of the bill to restore the duty on imported salt.

Mr. *Sutherland* moved that the bill be laid upon the table.

The *Speaker* pronounced the motion out of order.

Mr. *Sutherland* appealed from this decision. In support of his course, Mr. S. observed, that he meant no disrespect to the chair, but that he was desirous of knowing whether the decisions made upon motions last year, which were parallel with the present motion, were to be overruled by the chair. If they were to be set aside, he was anxious that the house should have notice of the fact, and at the opening of the next session of congress, we might have the point stated at the back of the journals, where all matters of order are recorded. For if the subject was not disturbed in the way he suggested, and some opinion obtained from the chair, the practice of the *first* session of this congress would appear from the journals to contradict that of the *second* session. Mr. S. then proceeded to show that it had been decided by the speaker during the last year, that the motion to *lie on the table* took *precedence* of the question "shall the bill be rejected," and cited two or three parallel cases from the journals of the last session, which he read and commented on to show their similarity to the present case. When Mr. S. had concluded,

The *speaker* rose, and after admitting that the present decision of the chair was at variance with the decisions of the last session, which had been cited, proceeded to explain to the house his reasons for the change. It was, he said, after mature reflection on the former practice, and after much consultation with those better qualified than himself to form a correct judgment on the question, that he had come to the conclusion that the former decisions were erroneous, and being so convinc-

ed, his duty to the high and responsible trust reposed in him by the house, did not permit any fear of apparent inconsistency to prevent his following the dictates of his better judgment. The *speaker* then went into an examination and exposition of the rules of order and the nature of the questions before the house, to show why the former practice was erroneous, and the present decision compatible with the spirit of the rules, with their true application to the question, and with the reason of the case. When the *speaker* took his seat,

Mr. *Sutherland* again rose and observed, a greater man than either of us on parliamentary practice [meaning, it is presumed, Mr. Hatsell], has said, "It is much more material that there should be a *rule* to *go* by than *what* that rule is;" and I think upon that ground alone the old practice might well be sustained. As to the reasons addressed to the house by the speaker, with all due deference to the chair, Mr. S. thought he could readily answer them, but as Mr. Speaker had thought proper to change his opinion on the subject, he felt no disposition to urge the appeal any further, and therefore withdrew it.

Mr. *Thompson* then said, that in accordance with the wishes of several of his friends, he would withdraw his objection, and let the bill proceed to a second reading.

Mr. *Speight* said he should not discuss the matter; he hoped the motion to postpone would succeed, or that the bill would be ordered to lie on the table.

The bill was then accordingly read a second time. Mr. *Williams* then moved, that the bill do lie on the table, and the motion was decided in the affirmative by the following vote—ayes 145—nays 41.

Mr. *Mallary* asked leave to submit a motion to print the report of the committee on manufactures and the documents accompanying it, relative to a repeal of part of the act to reduce the duty on salt; but the leave was refused.

The bill from the senate to amend the act granting "certain relinquished and unappropriated lands to the state of Alabama, for the purpose of improving the navigation of the Tennessee, Coosa, Cahawba, and Black Warrior rivers," approved the twenty-third day of May, one thousand eight hundred and twenty-eight, was read the third time and passed.

The amendments of the senate to the bill to establish a land office, in the territory of Michigan, and for other purposes, were read, and [illegible].

To that part of the amendments which provided for an additional land office in the state of Indiana, Mr. *Wickliffe* objected, and assigned his reasons for so doing at some length.

Mr. *Clay*, on the other hand, supported the amendment; but, before any question was taken,

The house adjourned.

Monday, Feb 7.—A large number of memorials were presented, praying that the act of last session providing for the removal of the Indians, may be repealed, as also for aid by congress to the colonization society; for the abolition of slavery in the district of Columbia, and the allowance of drawback may be allowed on cut-nails, manufactured from imported iron:

Mr. *Mallary* moved that the report of the committee on manufactures, on the restoration of the salt duty, be printed—

Mr. *Chilton* opposed the motion.

Mr. *Williams* moved to lay the motion for printing on the table, which motion failed, and the report was ordered to be printed.

Several reports from committees on private claims were made.

The house having taken up the resolution submitted some days ago by Mr. *White*, of New York, to print 3,000 additional copies of the report and counter report on the subject of repealing the 25th section of the judiciary act, an animated debate ensued, in which Mr. *Buchanan*, of Penn., Mr. *Haynes*, of Geo., Mr. *Chilton*, Mr. *Doddridge* and Mr. *Gordon* took part.

Mr. *Doddridge* moved to increase the additional number to 6,000. Before the question was taken, the house proceeded to the consideration of other business.

A message was received from the president, transmitting a report from the treasury department, in reference to the correspondence in relation to locating a cession of lands made, or intended to be made, by the Pattawattamie tribe of indians, for the benefit of the state of Indiana; which was laid upon the table.

The *speaker* laid before the house a letter from the secretary of war, transmitting a list of the names of persons who have been inscribed on the roll of invalid pensioners, which was laid on the table.

The house then took up the general appropriation bill; the question being on the motion of Mr. *Stanberry*, to strike from the bill the appropriation for a salary to the minister to Russia.

Mr. *Barges* continued his remarks, commenced on Thursday last; and occupied an hour and a half in their conclusion.

Mr. *Cambreleng* then took the floor at a quarter past three o'clock; and spoke till near four; when

Mr. *Alexander* rose to address the house, but gave way for a motion to adjourn; and then

The house adjourned to twelve o'clock to-morrow.

Tuesday, Feb. 8. A large number of memorials were presented, and amongst them memorials from the clerks in the office of the commissary general of subsistence, the quarter master general, the adjutant general, and the engineer and ordnance offices, attached to the department of war, and from the clerks in the fourth auditor's office, praying for additional compensation.

Mr. *White*, of Florida, presented a resolution of the legislative council of that territory, requesting that the number of members of said council may be increased to eighteen.

Mr. *Coleman* presented a petition of the president, directors, and company of the Maysville, Washington, Paris, and Lexington turnpike road company, in the state of Kentucky, praying for the assistance of the general government, in the construction of said road, for which assistance said company propose to permit one line of mail stages to pass and re-pass over said road, daily, until the amount of the grant shall be refunded, and paid, with interest, to the United states.

The said petitions were severally referred to the appropriate committees.

Mr. *Loyall*, from the committee of commerce, reported a bill making appropriations for building light houses, light-boats, beacons, monuments, and for placing buoys; which was twice read and committed.

The house then resumed the consideration of the general appropriation bill, the question being on the motion of Mr. *Stanberry* to strike out the appropriation for the salary of the minister to Russia.

Mr. *Alexander* addressed the house at some length in opposition to the motion.

Mr. *Pearce* then took the floor on the other side, and in conclusion submitted the following amendment:

"*Provided*, That the time which any minister shall absent himself from the country to which he is appointed, after having been received by the government thereof, shall be deducted in computing his salary or yearly compensation."

Mr. *Bouldin* next spoke in defence of Virginia, and of the minister appointed to Russia.

Mr. *Blair* of S. C. then demanded the previous question, and the demand was sustained by the house.

On the main question Mr. *Stanberry* called for the yeas and nays, and they were ordered.

The main question being put, "shall the bill pass." It was determined in the negative, by yeas and nays—73 to 100; which decision removed the subject from before the house for the day.

Mr. *Dwight* then moved a reconsideration of the question; which, after some conversation between Messrs. *Dwight*, *Storrs*, of New York, *Carson*, *Williams*, *Martin*, *Huntington*, *Blair*, *Barringer*, and *Vinton*, was agreed to: whereupon,

Mr. *Blair* withdrew his motion for the previous question.

After a remark or two between Mr. *Storrs*, of New York, and Mr. *Archer*, (chairman of the committee on foreign relations,) as to the importance of the minister residing at this time near the court of Russia,

Mr. *Carson* spoke at some length in defence of Mr. Randolph and the present administration. In the course of his remarks he said, Andrew Jackson, unless death overtook him, would be re-elected president of the

United States, and gentlemen might make their calculations accordingly.

Mr. *Stanberry* next took the floor, and spoke for some time in support of his motion, and in reply to gentlemen on the other side of the question.

Mr. *Cambreleng* said a few words in answer to the last speaker.

Mr. *Buchanan*, in a short speech, assigned his reasons for voting in favor of an appropriation for the salary of the minister to Russia; and spoke against the amendment of Mr. *Pearce*.

Mr. *Bates* then rose and gave his reasons for voting against an appropriation for the present minister's salary. If the house would strike out Russia from the bill, and insert at the end of the paragraph, for the salary of *a* minister to Russia, he would then vote for the bill.

Mr. *Archer* rose to address the house. To give him an opportunity to do so more fully than he could this evening,

Mr. *Barringer* moved an adjournment. The motion prevailed, and

The house adjourned to twelve o'clock to-morrow.

Wednesday, Feb. 9. Mr. *Huntington*, from the committee on manufactures, reported a bill supplementary to, and to amend the act to regulate the collection of duties on imports and tonnage, approved 2nd March, 1799; which was twice read and committed.

On motion of Mr. *Spencer*, of New York, the bill for promoting the growth and manufacture of silk, was made the special order ot the day for Wednesday next.

Several committees were discharged from the further consideration of certain cases of a private nature, and others made reports of a similar nature.

On motion of Mr. *Everett*, the library committee was discharged from the further consideration of a resolution submitted by Mr. *Howard*, on the 30th of December last, proposing that certain reports, made by the committees on commerce and manufactures, in the years 1802, 1803, and 1804, be printed for the use of the house, and the said resolution was laid on the table.

Mr. *Everett*, from the same committee, to which was referred the resolution submitted some days since by Mr. *Johnson*, of Kentucky, upon the subject, reported the following resolution; which was read and agreed to, on a division, 80 to 61:

Resolved, That the clerk of this house cause to have preserved for each member of the house an extra copy, in good binding, of all the documents printed by order of either house, at each future session of congress.

Mr. *Howard*, from the committee on commerce, reported a bill for the improvement of certain harbors, and providing for surveys; which was twice read and committed.

The resolution to print 6,000 copies of the reports of the majority and minority of the judiciary committee, on the subject of the repeal of the 25th section of the judiciary act of 1789, was again taken up for consideration.

Mr. *Crawford* and Mr. *Daniel* addressed the house.

The latter gentleman had not concluded his remarks when the allotted hour for morning business expired.

Mr. *Wickliffe* laid on the table the following resolution:

Resolved, That the president of the United States be requested to communicate to this house the amount of each defalcation, and the names of the defaulters, the names and amount of each peculation upon the treasury or fraudulent use of the public money by individuals in the employment of the government; and the names of the person or persons concerned therein; the instances in which the public money has been misapplied or diverted from the objects for which it was appropriated by congress; and also, the amount of improper allowances to officers, agents, or others, in the public employment, made by any of the departments of the government; the amount thereof, and to whom allowed, since the 3d day of March, 1825.

Mr. *Ingersoll* laid on the table the following resolution:

Resolved, That the secretary of war be directed to communicate to this house the report of the engineer appointed to examine the route of the Farmington and Hampden and Hampshire canals.

On motion of Mr. *Duncan*, it was also

Resolved, That a communication from Joseph L. Brackett, of Illinois, on the culture of hemp, be referred to the committee on agriculture.

The bill from the senate, respecting the jurisdiction of certain district courts, was twice read, and ordered to be read a third time this day.

The bill from the senate to amend the act to set apart and dispose of certain public lands for the encouragement of the cultivation of the vine and olive, was read the third time and passed.

The amendment of the senate to the bill to provide hereafter for the payment of $6,000 annually, to the Seneca tribe of Indians, and for other purposes, was read and concurred in by the house.

The house then resumed the consideration of the bill to establish a land office in the territory of Michigan, the amendment of the senate to provide for the establishment of an additional land office in the state of Indiana, being under consideration.

Mr. *Wickliffe* submitted an amendment, which was agreed to, and the bill as amended returned to the senate for concurrence.

The house then resumed the consideration of the general appropriation bill—the question being on the proviso yesterday submitted by Mr. *Pearce* and which was accepted by Mr. *Stanberry* as a modification of his motion to strike out the appropriation for the salary of the minister to Russia.

Mr. *Huntington* submitted the following amendment to the amendment of Mr. *Pearce*.

Strike out all after the word "time," and insert the following: [so that it would read, "Provided that the time."]

"Shall be deducted, in computing the salary or yearly compensation of any minister, during which he shall have absented himself from the country, by the government of which he shall have been received, for objects not connected with the public service, and in pursuance of permission so to absent himself, given previous to the commencement of his mission, and in anticipation that such absence would be necessary."

Mr. *Huntington* said a few words in favor of his amendment.

Mr. *Archer* addressed the house an hour in opposition to the motion, and in reply to gentlemen who had advocated it.

Mr. *Tucker* after a few remarks against spending further time on this subject, to the injury of the other public business, moved the previous question.

The motion being seconded, 73 to 33—

Mr. *Conner* moved a call of the house, but the motion was negatived.

The question was then put on the previous question, viz: "Shall the main question be now put?" and was decided in the affirmative, by yeas and nays, as follows:

Yeas 112 nays 70.

After an ineffectual attempt by Mr. *Bates*, to further amend, the bill ultimately passed.

It was now half-past 4 o'clock, and the house was about to adjourn: when

Mr. *Buchanan* rose, and said that he was about to ask a favor of the house, which would probably be the last he should ever ask of it. It was to indulge him so much as to go into committee of the whole on the state of the union, and take up the bill for the relief of certain insolvent debtors of the United States. He had had the bill in charge for two years, and during all that time the parties interested had, with excited feelings, been looking for its passage. After a few other remarks, in which Mr. B. made a feeling appeal to the house, in favor of taking up the bill,

The house resolved itself into a committee of the whole, Mr. *Dwight* in the chair, and took up the bill.

Mr. *Buchanan* submitted an additional section, appropriating $5,000 to carry the provisions of the act into effect, which was agreed to. The committee then rose and reported the bill as amended; and.

The house adjourned till to-morrow at 12 o'clock.

Thursday, Feb. 10. Mr. *Hemphill* made a report from the committee on internal improvements, which concludes with a resolution declaring it expedient that the general government should continue to prosecute internal improvements, by direct appropriations of money, or by subscriptions for stock in companies incorporated in the respective states.

The house considered the Baltimore and Washington rail road bill, and the amendments reported by the committee were further amended, and the bill ordered to be engrossed for a third reading.

NILES' WEEKLY REGISTER.

FOURTH SERIES. No. 26—VOL. III.] BALTIMORE, FEB. 19, 1831. [VOL. XXXIX. WHOLE NO. 1014

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT $5 PER ANNUM, PAYABLE IN ADVANCE.

☞Our details of the proceedings of congress are necessarily long—for the business now before the national legislature is unusually interesting. Many things, however, are indispensably deferred. We shall soon have a little room that we can "call our own."

☞We have a desire to give our readers the debate in the senate on the affairs of the general post-office, and will gratify it as soon as we can.

☞The present is the 26th number of the volume, filling up the usual quantity, but not reaching the usual *time;* the lapse of years again throwing us back a week—52 weeks not making a year. To advance on time, we shall publish another sheet for this volume, and call it a "septennial number"—and the next, or 40th volume of the REGISTER, will therefore commence, as it should, with the first Saturday of March. The current volume then, besides its title and index, will contain 472 pages, *fifty-six* more than our agreement with our readers calls for—or three sheets and an half of closely printed matter presented in compliment to our friends, who will indemnify the extra cost that has been incurred.

The index for the volume is fully posted-up, and may be expected with the second number in March.

☞We should this week have commenced the debate on the general appropriation bill, caused by Mr. Stanberry's motion to strike out the item providing for the payment of the salary to a minister of the United States at the court of St. Petersburg—but apprehended that it could not be closed in the present *volume;* and, it is always a leading desire with us to keep every subject as compact as possible, that our readers may have the less trouble in making references to things which shall interest them hereafter. This debate has some peculiar characteristics even in these peculiar times; and the principles involved in the discussion, have an important bearing. Mr. Cambreleng, in defending Mr. Randolph and supporting the appropriation, unfortunately made a rude personal assault on Mr. Burges. The reply of the latter has no superior for strength and severity—he returned Mr. Cambreleng's accusatory matter with extraordinary power, and most apt references to historical truth; for which the gentleman from Rhode Island is so very remarkable. This speech goes as far towards *annihilation* as any that we ever read.

We shall publish this debate in the early numbers of the next volume.

☞The "world of politicians" have a least of matter in a pamphlet just issued by Mr. *Calhoun*, vice president of the United States, on the subject of certain deliberations in the cabinet of Mr. *Monroe*, on occurrences in the Seminole war; about which there has been much speculation and remark in the newspapers, for several months past. This pamphlet is from the press of the printer to congress, and contains 52 large octavo pages. We should commence its publication next week, but it cannot be got into a single number, and one number will conclude the current volume—so that we cannot divide it, as we generally dispose of *very* long articles. But we shall give it place promptly—being exactly in the order of our business. It is supposed that this matter will not end here—and that other extensive papers will soon be published, in reply, or in explanation and support. We shall also preserve these.

A notice of the pamphlet, with the introductory address of Mr. *Calhoun*, will be found in a subsequent page. The general character of the correspondence may be gathered from the latter.

☞Complaints of the total failure of the REGISTER, have been very frequent from our subscribers, for some months past. *Delays*, (in the late and present state of the roads), may be easily excused; but the same careful manner in which we commenced the packing of our papers, and which *cannot* admit of many mistakes, is observed,—and rather improved; and late or present irregularities in the receipt of our paper, or its absolute loss, is no more ascribable to us than in times past. For the first eighteen years of this publication, many persons never missed a single number,—though resident in a district of our country, (the eastern section), from which complaints are now numerous.

AN ADDRESS, delivered by gov. Edwards, of Illinois, to the legislature of that state, December 7, 1830, has just reached us. It makes *thirty-seven* pages, heavy octavo. What are printers of periodical works to do, in these times of "vasty" documents? How severe the labor of being compelled to read the many *mighty* papers which the press groans under! There seems a growing disposition among our public men, to argue subjects *submitted* to legislative bodies, or to make "appeals to the people," instead of addressing themselves directly to those whom they seem to advise with—to which, in general, we think that their duty should be really confined, except in *statements of facts*, interesting to every citizen.

This address relates to the public lands—gov. Edwards insisting that all such within the territorial limits of Illinois, belong to that state. We have always believed that in the admission of new states, strong and special references were had to this subject; and that the property of the *United States* in such lands was not to be questioned. We have read gov. Edwards' essay without any effect on our old opinions, and cannot tolerate the idea which is so precious to his mind—rejecting as well the natural right, as the political expediency, of the issue that he aims at. We have no notion that the United States shall be a permanent holder, or dealer, in land—but if it shall so please the constituted authorities to be, we cannot any more apprehend a right in a new state to divert the rest of a *common* property, than there exists in gov. Edwards to appropriate our types and presses to the use of the state of Illinois. If the price of the public lands—(125 cents for an acre), is too high, let it be reduced as fast, [and no faster], as actual settlers shall present themselves—such settlement, with *bona fide* cultivation, being needful to perfect the title from the U. States. We know not how to arrange this important matter; but unless some barrier to speculation, or rather *gambling*, in the lands of the west, is presented, the people of certain of the new states, much more than those of the old, will suffer because of the want of it, in the introduction of persons, unprofitable and lawless; or who, entirely respecting those rules which have been urged as reasons why the *United States* should yield their lands, would claim them of the *states* in which they happen to be located. If the argument in favor of the *new states* is worth any thing, it is just as much so in favor of *new counties* in such states. A county *must* possess the same right to "nullificate" the law of a state, as a state can have to set aside an enactment of the United States*. The principle of their constitution is the same—the right of judgment on the laws the same, the manner of testing the validity of acts the same—by the judiciary power. Cut that loose, and all is gone.

DIED, in Cumberland, Rhode Island, on the 26th Jan. Mr. Jeremiah Wilkinson, in the 90th year of his age, a worthy and respectable member of the society of Friends. The Pawtucket Chronicle says—Mr. Wilkinson was probably the first person who made a cold or cut nail in this country. During the revolutionary war, he carried on

*See an article in a subsequent page, headed. The land bill vs. the gold diggers," in Georgia.

the manufacture of hand cards; but finding it difficult to obtain tacks and nails for the purpose, (none being made in this country), he conceived the idea of making them cold, and finally succeeded by cutting nails from thin plates of iron with a large pair of shears, which were headed in a smith's vice. Subsequently, improvements were made by several persons, until the machine has arrived to its present perfection, which has rendered the business one of the most important in our country. Mr. W. made the wire for his cards; also made pins and needles; and his wife informed the writer of this article, that she had purchased a spinning wheel for three darning needles, of her husband's make. And although Mr. Wilkinson's pacific principles would not permit him to take up arms in defence of his country, yet probably he contributed his full share towards its independence.

☞This peaceable man has rendered more service to his kind, than legions of "scurvy politicians." By making the first cut-nail, he accomplished a greater benefit to South Carolina, than all her big-talking "nullifiers" will bring about in fifty years. The entire "crop" of these would never invent a cotton gin, a card making machine, or one to cut nails, or any thing so useful: yet one of them *talks* more about the good of the people, in one day, than Whitney, Whittemore, and Wilkinson ever did in a twelve-month!

Another Rhode Islander has perfected a machine for the manufacture of *wrought nails*—they are made at the rate of 200 a minute, and their quality is fully "equal to the imported," wrought nails. A few of them were sent to me, and I placed some of them in the hands of as good a practical carpenter as there is in the world; and his opinion is just given. It is said that the right of this machine has been sold for 100,000 dollars. But for the duty on nails, this machine, most probably, would never have been discovered. So much for the "abominable tariff."

Before the *fool* shall smile at this remark, let him read, and discover, what England was before she *protected* the genius and industry of her people, by PROHIBITIONS, as Mr. Jefferson suggested it might be proper for the government of these United States to do.

MR. RANDOLPH. The Lynchburg "Virginian" says that John Randolph has been announced as a candidate for the house of representatives of the United States, by his friend William Leigh, esq.—and so end, we suppose, the Russian mission.

MR. BENTON. It is stated by the National Gazette, that "the refusal of the leave asked by Mr. Benton to introduce his resolution against the bank of the United States, is an occurrence which perhaps has no precedent in the proceedings of the senate for fifteen years past." It is added, by the same paper, that of the five senators absent, "three at least are understood to be in favor of renewing the charter of the bank;" and among those who voted with Mr. Benton, were "several gentlemen who are known or believed to be hostile to his object, but who felt unwilling to do a thing so unusual as to vote against leave to *bring* in a resolution."

Mr. Benton has met with a second like *uncourteous* proceeding, when asking leave to bring in a duty about alum salt.

MR. CLAY and his family, attending the theatre at New Orleans (in which city one of his daughters resides), was received with repeated rounds of approbation: of which the "Richmond Enquirer" gives the following *dignified* account:

It is seen by the New Orleans Argus of the 26th ult. that Mr. Clay and family have visited the theatre. A sort of clap-trap announciation was put out on the 24th, that the manager of the American theatre had invited them to witness Clara Fisher's performance—as much perhaps for his *own benefit* as for Mr. Clay's. The joint attraction of the hero and heroine of the night, (the politician and the actress) drew together, it is said, a crowded house, who witnessed his *entrance*, and his *exit*, with the most unbounded applause. It is not stated, whether the orator delivered *any speech* upon the occasion.

COM. SINCLAIR, one of the most valued officers in the navy of the United States, died at Norfolk on the 7th inst. after a protracted illness, of paralysis. He entered the navy as a midshipman in 1798, and was advanced to the rank of post-captain 24th July, 1813.* His remains were interred with military honors.

Naval general order. As a mark of respect to the memory of capt. *Arthur Sinclair*, late of the United States' navy, who died on Monday, the 7th inst. the flags of the navy yards, stations, and vessels of the United States' navy, are to be hoisted half-mast, and thirteen minute guns fired, at noon, on the day after the receipt of this order.

Officers of the navy and marine corps will wear crape on the left arm for thirty days. JOHN BRANCH.

Navy department, 12th Feb. 1831.

FORT DELAWARE. A fire broke out in this fortress in the night of the 8th inst. and appears to have consumed all the buildings, the quarters of major Pierce excepted. Every part of the fort, the stone work excepted, is destroyed. There were several explosions of gun powder; and yet, though there were 150 persons in the fort, no lives were lost. The damage is estimated at 100,000 dollars. The quantity of floating ice in the river had prevented communications with the shore for several days preceding the conflagration, and for a short time after it happened. The people of Wilmington, supposing that New Castle was again in flames, notwithstanding the severity of the weather and the roughness of the road, nearly reached the latter town with their engines and other fire apparatus, before they learned that no service could be rendered.

So rapid was the progress of the flames that the officers and soldiers lost the most of their clothing, and other property; and all suffered much from the inclemency of the night. On the morning, a sloop from Delaware City, with difficulty, reached the fort, and brought over the ladies and many others from the island.

DEMAND FOR WHEAT. We learn from the "Steubenville Herald," that, at the flourishing town of Massillon, on the Ohio canal, 68 miles from Steubenville, wheat is worth *eighteen cents per bushel* more than it bears on the Ohio river! This is an important difference, indeed, and shews the new current of trade. The editor of the Herald well accounts for this advanced price at Massillon. The grain passes to Rochester, by the lake and the canals, where it is manufactured, and the flour is sent to Canada; from thence it passes, in *British* vessels, to the British West India islands, free of duty: but if it were forwarded to New York, and thence shipped in *American* vessels to the said islands, it would pay a duty of $1.33 per barrel—or, in other words, says the editor, "flour shipped at Montreal, for the British West Indies, has an advantage of $1 53 per barrel over flour shipped from New Orleans for the same place. The object of the British, is to give employment to their own shipping, to the exclusion of ours. This is the result of the late arrangement, about which so much has been said. And it being "an ill wind that blows no where," this wind, that blows our shipping merchants out of the trade, will blow something into the pockets of such of our farmers as can reach the canal with their wheat. It is thought by some that congress will adopt countervailing measures."

HYDROPHOBIA. We learn that this terrible disease extensively rages in the neighborhood of Ellicott's Mills. One or two persons had been bitten, slightly—but immediate surgical aid was afforded. A great number of dogs, and other animals, have been bitten. On one farm, four cows and eight hogs had fallen victims to this dreadful mania. The alarm was so general, that persons feared to go abroad without some weapon of defence. Much exertion has been made to stop the progress of this disease, by killing off the dogs, or securing them.

GOLD. The finding of large quantities of gold in many parts of the southern states, encourages a belief that

*We use this *phrase* as we find it.—What is its meaning, as applied to the officers of *our* navy?

a new and important branch of industry is about to be realized to our fellow citizens of that part of the union; in which we shall heartily rejoice.

The report of the director of the mint, published by us, shews a rapid and powerful increase in this business. Its product probably exceeded 500,000 dollars last year. We shall not be surprised, if, in the present, it amounts to more than a million.

THE ECLIPSE. On the great eclipse which happened on the 12th inst. the "National Gazette," has the following appropriate remarks:

"If there be a rational being who doubts the existence of an Omnipotent Creator and Dictator of the heavens and the earth, let him, to-morrow make a fair and honest appeal to his eyes and his understanding;—if he still doubt, let him, henceforth, trust nothing, and believe nothing; but,—wrapped in an atmosphere of dark scepticism,—think "nothing is but what is not." He will mark the moment when the great luminaries of our globe seem to touch each other at their edges; he will observe that this happens precisely at the appointed and predicted moment. Can this be chance, or an accidental coincidence? Did it merely *happen* that the enlightened men who have made themselves acquainted with the laws which govern these vast bodies, have told so exactly the time of their meeting? But mark the progress of the moon over the disk of the sun; her regular march, her speed in passing, corresponding exactly with the calculations of our almanack. Her departure begins, proceeds, and is ended, with the same precision. Can any mind which reasons, question that all this is directed by immutable laws, which laws cannot be without a law maker; and he must be Omnipotent and Eternal. *Chance! Accident!* It would be wiser to say that the verses of Homer, or the splendid fabric of St. Peter's at Rome, were produced by fortuitous combinations of matter, formed on no plan, directed by no intelligence."

VIRGINIA. We rejoice in the prospect of a renewed attention to internal improvement in this state. It is now *talked* of applying three millions of dollars to public works—we hope that it may be *done*. If that sum shall be prudently expended, it will probably save to the people of the state its whole amount, annually, in the reduced labor and cost of transportations. The chief attention will be first paid to improve the navigation of the James river—a noble, but neglected stream, offering great facilities for communication beyond the mountains.

John Floyd was, on Saturday last, unanimously re-elected, by the legislature, governor of the state of Virginia for the ensuing year; and *Peter V. Daniel, Wyndham Robertson*, and *Guy R. C. Allen*, were, on the same day, elected executive councillors, under the new constitution.

CONTROVERSY WITH A FOOL. The celebrated Horne Tooke once made the following just remark: Nothing is gained in a controversy with an ignorant, low-lived, low-bred, vulgar *fool*. You get the better of him in the contest, and the fellow (altho' he may himself be a mere rib-nosed baboon, or a real monkey, in appearance) will immediately, as the dernier resort of meanness, enter into personalities. This is with him a cardinal virtue; and such a creature would not scruple to rob a hen-roost, were he certain of being screened from the cow hide and whipping post."

THE SOUTHERN REVIEW.—It gives us pleasure to perceive that this distinguished periodical is at last placed upon a permanent establishment.—It is announced that the 13th No. will appear on the 1st May, and will be punctually issued at every subsequent quarter. Communications are to be addressed to Mr. A. E. Miller, of Charleston, who is authorized "to remunerate authors of articles, for the Southern Review, as liberally as the contributors are to any similar journals in the union." [*Richmond Enq.*

LIVERPOOL MARKET. The late arrivals give us accounts of the stock of cotton on hand, prices of grain, &c.

Stock of cotton on hand, at Liverpool.

American,	160,800	against	99,400	in 1829.
Brazil,	81,300	do	74,500	
West India,	2,100	do	3,020	
East India,	5,800	do	9,430	
Egyptian,	8,000	do	16,900	

Average price of wheat for six weeks—66*s.* 11*d.*—duty 21*s.* 8*d.*—or nearly 70 cents on the American bushel.

The *whole* import of cotton in 1830 is estimated at 871,943 bales—the consumption at 803,305—the export 35,800; the balance shews the increased stock on the 1st Jan. 1830, over that of 1st Jan. 1829.

Import of cotton into Liverpool during the years 1829 *and* 1830.

	Totals of 1830.	*Totals of* 1829.	*Inc.*	*Dec.*
United States	568,810	430,946	137,864	
Brazil, Portugal, &c.	190,343	158,623	31,720	
Egypt,	11,075	22,456		11,381
East Indies,	13,937	16,587		2,600
West Indies, &c.	6,911	10,859		3,948
Totals	791,126	639,471	151,655	

The price of cotton is better now than it was last year, except Sea-island,—which is worse; as the following examples will shew—

	1829.		1830.	
Sea-island,	11¼	to 24	12	to 18
Upland,	5¾	to 7	5 7-8	to 7¼
Alabama and Ten.	5½	to 6¾	5½	to 7 1-8
Orleans,	6	to 8½	6½	to 8¼
Brazillian,	6½	to 8½	7	to 8½

EGYPT. A late *Bombay* Courier published the following.—An Arab ship arrived from the Red Sea, has brought 250 bales of Cotton Yarn, the manufacture of *Ali Pacha*, at his spinning mills near Cairo. It is reported that he has sent 500 bales to Surat, 1000 to Calcutta, and that he intends next season to send long cloths, Madapollans, &c. having established *steam power looms!*

These goods are at present admitted at 60 per cent. invoice cost, besides 4½ per customs.

What will the mercantile community say to this new competition?

PIRATES. The English papers relate a gallant action, followed by a summary and somewhat irregular method of administering justice, which took place lately near the island of Ascension. The British ship Falcon, of twelve guns and thirty men, fell in with a pirate mounting thirty guns, with a crew of two hundred and fifty men, and after two hours and a half hard fighting, succeeded in making her a prize.

The little crew was in no small difficulty, after the capture of their disproportioned antagonist, what to do with their prisoners, who, as soon as they had an opportunity, shewed symptoms of an attempt to overpower them. On reaching Ascension, the officers of the Falcon sent the pirates on shore in companies of twenty, in the long boat, and hanged them on the island, reserving only the pirate captain and mate, whom they carried off to Bermuda to be tried.

TWENTY-FIRST CONGRESS—2d SESSION.

SENATE.

February 10. The *vice president* communicated a report from the secretary of the treasury, transmitting a statement of the contracts made by him during the year 1830, respecting light-houses, floating lights, and other objects; and a statement of payments made for miscellaneous purposes, not specially provided for by law, and a statement of purchases made by the collectors of the revenue, and expenditures from the marine hospital fund for 1829, for the relief of disabled seamen.

Mr. *Livingston* submitted the following resolution:

Resolved, That the secretary of the senate purchase fifty sets of the American Annual Register, published by E. and G. W. Blunt, of New York, and deliver one set to each member of the senate.

Several memorials of a private nature were presented.

Mr. *Poindexter* introduced a bill to authorise appeals, writs of error, and supersedeas, to the supreme court of the United States, in certain cases; which was twice read and referred to the judiciary committee.

Mr. *Hayne* reported a bill to increase the pay of masters commandant and first lieutenants of the navy.

The senate concurred in the amendments of the house to the bill to establish a land office in the territory of Michigan.

The bill making appropriations for the completion and support of the penitentiary of the District, was amended, and ordered to be engrossed for a third reading.

[Mr. *Poindexter* remarked, in (introducing the bill "concerning Martha Randolph, the daughter and only surviving child of Thomas Jefferson, deceased," noticed in our sketch of this day's proceedings, given last week,) he had seen it stated in the proceedings of the senate, of the previous day, published in the Telegraph, that he had presented a memorial from Martha Randolph—he considered it due to the sensibility of that lady, as well as to himself, to say that, in giving notice of his intention to introduce a bill concerning the only surviving child of Thomas Jefferson, he was actuated solely by his own views of the high obligations of duty, and a desire to rescue the nation from the imputation of a want of gratitude to a departed statesman, who had so largely contributed to the establishment of this government. No memorial was received or presented on this subject. No intention whatever had been made of a desire to bring this question under the consideration of congress, by the individual named in the bill, which he had asked leave to introduce.]

February 11. Several private bills were reported.

Mr. *Ellis* reported a bill appropriating a township of land for the use of Jefferson college, in Mississippi. The bill from the other house making appropriations for the support of government for the year 1831, was read and referred to the committee on finance.

The bill appropriating certain public lands for the erection of a public building at the seat of government of Arkansas, was read a third time and passed.

Mr. *Hendricks* submitted a resolution, calling upon the secretary of war for information touching the Cumberland road.

Mr. *Hayne*, from the select committee to whom the subject had been referred, reported the bill for the final settlement of the accounts of James Monroe, with an amendment to strike out the words "for public services, losses and sacrifices."

Mr. *Sprague* presented the petition of Joshua Fessenden, for the exclusive privilege of navigating the waters of the Passamaquoddy by steam.

Mr. *Woodbury* introduced a bill to reduce the duties on foreign books.

The bill for the completion and support of the penitentiary in the District of Columbia, was read a third time and passed.

Mr. *Benton* asked leave to introduce a bill for the gradual abolition of the duty on alum salt, and to regulate the mode of measuring the same.

After some remarks from Mr *Benton*, Mr. *Frot* and Mr. *Dickerson*, the senate refused the leave asked, by a vote of 27 to 17.

The bill to reduce the duties on Indian blankets, and other Indian goods, not manufactured in the United States, was taken up; but on motion of Mr. *Dickerson*, it was again laid on the table.

The resolution concerning the powers of the select committee, to examine into the affairs of the post office, being taken up—

Mr. *Woodbury* concluded his speech in support of the resolution, declaring that the committee of investigation were not authorised to examine removed officers as to the causes of their removal.

Mr. *Sprague* made some remarks upon one or two points involved in the debate.

Mr. *Livingston* opposed the resolution, and concluded by moving an amendment, going to declare that the committee "are not authorised to make inquiry into the causes which have induced the postmaster general to make new removals of his deputies."

Mr. *Holmes* commenced a second speech in opposition to the resolution, but gave way for a motion to adjourn. The senate then adjourned until to-morrow.

February 12. The private bills yesterday ordered to be engrossed for a third reading, were severally read a third time, passed, and sent to the house of representatives for concurrence.

The annual returns of the militia of the United States were received from the department of war.

The *eclipse* having reached the greatest obscuration of the sun about this time, and the senate appearing indisposed to go on with business—

A motion was made and carried to adjourn.

February 14. Mr. *Webster* presented memorials from the inhabitants of Brookfield, Massachusetts, and the students of Amherst college, praying the repeal of the Indian bill.

Mr. *Marks*, Mr. *Barnard*, and Mr. *Frelinghuysen*, each presented similar memorials from citizens of Pennsylvania and New York.

Mr. *Barnard* presented a memorial from Garser, Raines, & Co. of Philadelphia, praying a modification of the tariff law of 1828, in regard to imported flax and flax manufactures.

Mr. *Robinson* presented a resolution of the legislature of Illinois requesting to be allowed to select and sell an additional quantity of the Ohio and Galena Saline reserve, on the Big Vermillion river.

The *vice president* laid before the senate a communication from the secretary of the treasury, made in accordance with the resolution of the senate of May, 1830, and giving a statement of all lands which have been secured to the United States for public debts—where situate, &c. &c.

It was ordered, on the motion of Mr. *Grundy*, to be printed for the use of the senate.

Several petitions and memorials relating to private claims, and one on the subject of Sunday mails, were presented.

Mr. *Frelinghuysen* submitted the following resolution:

Resolved, That the president of the United States be requested to inform the senate whether the provisions of the act entitled "an act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers," passed the 30th March, 1802, has been fully complied with on the part of the United States government; and if they have not, that he inform the senate of the reasons that have induced the government to decline the enforcement of said act.

Mr. *Robbins* submitted the following resolutions:

Resolved, That the library committee be instructed to inquire into the expediency of adopting a resolution directing the distribution of the copies of the secret journal of the old congress, and the journal of the convention for forming the present constitution, still remaining for distribution.

Resolved, That the committee on the library be instructed to inquire into the expediency of adopting a resolution directing the secretary of the senate and the clerk of the house to divide the remaining documents of the two houses, from the 14th to the 18th congress inclusive, and to keep them for the use of each house, and to report thereon.

Mr. *Kane* introduced a bill relative to the survey and sale of public lands in the territory of Michigan.

Mr. *Woodbury*, from the committee on commerce, to whom had been referred various petitions on the subject, reported a bill for a drawback of duty on imported iron.

February 15. The *vice president* laid before the senate a letter from the secretary of war, transmitting copies of accounts settled at the 2d auditor's office, rendered by persons charged with disbursements of money, &c. for the benefit of Indians—also a communication from the secretary of the navy, transmitting a statement of the expenditure of the appropriations for the naval service during the year 1830.

Several memorials on the subject of the Indians were presented.

Mr. *Robinson*, presented two memorials of the legislature of Illinois, praying an appropriation of a portion of the public lands for the improvement of the navigation of the Kaskaskias and Embarras rivers.

Mr. *Clayton* obtained leave to report a bill for the relief of the officers and soldiers of fort Delaware.

Mr. *Woodbury* made a report concluding with a resolution, that the subject of prescribing the duty of consuls, be postponed until the next session of congress.

Mr. *Sanford* presented the petitions of E. B. & W. H. Oakley, praying an alteration of the duties on imported wire.

The resolution yesterday submitted by Mr. *Frelinghuysen*, was then taken up.

Mr. *Benton* objected to the form of the resolution, and wished it so modified as to make the call more simple.

Mr. *Frelinghuysen* was willing to modify, but should have been pleased if the gentleman from Missouri had stated in what respect he desired the modification. He could then be able to give a proper answer. After a few remarks from Mr. F. in favor of his resolution, and description of the views of the present executive in relation to the Indians,

Mr. *Holmes* addressed the senate, and in the course of his remarks made allusion to the assumption of certain powers by the president on the Indian question, as encroaching upon the legislative power and jurisdiction.

Mr. *Bell* asked for the yeas and nays on agreeing to the resolution, and they were ordered.

Mr. *Forsyth* had hoped that the two houses of congress were done with the Indian discussion, more particularly as the matter had been brought before the supreme court. He replied to some of the remarks of Mr. *Frelinghuysen*.

Mr. *Noble* said a few words as to the oppressive nature of the laws of Georgia relative to the Indians within that state, and made some reference to his vote of last session on this interesting question.

Mr. *Frelinghuysen* again took the floor, and in a speech of considerable length, replied to the remarks of Mr. *Forsyth*. He went into a history of the Indian intercourse law of 1802, and spoke of the measures pursued during the administration of gen. Washington in regard to the southern Indians.

When he had concluded, Mr. *Smith*, of Md. moved to lay the resolution on the table, with a view to proceed to the farther consideration of the resolution heretofore submitted by Mr. *Grundy*, as yesterday modified.

The motion prevailed, and it was determined that the question on the adoption of the resolution should be taken by yeas and nays.

Mr. *Noble* addressed the senate at some length, in opposition to the resolution.

The question being then put on its adoption, it was agreed to, yeas 24—nays 21—as follows:

YEAS—Messrs. Barnard, Benton, Bibb, Brown, Dickerson, Dudley, Ellis, Forsyth, Grundy, Hayne, Iredell, Kane, King, Livingston, Poindexter, Robinson, Sanford, Smith, of Md. Smith, of S. C. Tazewell, Troup, Tyler, White, Woodbury—24

NAYS—Messrs. Barton, Bell, Burnet, Chambers, Chase, Clayton, Foot, Frelinghuysen, Hendricks, Holmes, Johnston, Knight, Marks, Naudain, Noble, Robbins, Ruggles, Seymour, Silsbee, Webster, Willey—21.

February 16. A good deal of interesting business was this day attended to—but no matter of importance decided. Many petitions relative to the *protection* of the Indians were presented. It is not yet determined whether the committee of the senate will make a report concerning them at the present session, or not—as stated by Mr. *White*, the chairman.

The bill for the relief of the representatives of gen. Moses Hazen was passed.

Other proceedings, so far as shall appear necessary, will be presented in our next number.

February 17. Mr. *Burnett* laid before the senate a letter from the governor of the state of Ohio, transmitting a law passed by the general assembly of that state for the preservation and repair of the Cumberland road.

The senate took up the bill relative to punishing crimes in the District, which after some progress being had in the reading thereof was laid on the table. The senate then went into executive business, and remained with closed doors until the usual hour of adjournment, when it adjourned.

HOUSE OF REPRESENTATIVES.

Thursday, Feb. 10. Mr. *Hoffman*, from the naval committee, reported a new bill to provide for the more effectual execution of the ministerial duties of the navy department; which was twice read.

Mr. *Hoffman* stated, that since the first bill was reported, various amendments had been made by the committee on naval affairs to the original bill, which were all included in the bill now before the house. He believed the committee on naval affairs was unanimously in favor of the provisions of the present bill, and he moved that it be made the special order of the day for Monday. The motion was agreed to.

Several bills of a private character were reported.

Mr. *Buchanan*, from the judiciary committee, reported a bill declaratory of the law concerning contempts of court; which was twice read and committed.

On motion of Mr. *Cambreleng*, the committee of the whole was discharged from the further consideration of the bill allowing the duties on foreign merchandise, imported into Pittsburg, Cincinnatti, Louisville, St. Louis, Nashville and Natchez, to be secured and paid at those places, and the bill was re-committed to the committee on commerce.

Mr. *Hemphill*, from the committee on internal improvements, to which was referred so much of the message of the president of the United States at the commencement of the present session as relates to that subject, made a report thereon, and moved that it be committed and printed.

The report embraces a full reply to the opinions announced in the executive message on the subject of internal improvement, and concludes with the following resolution:

Resolved, That it is expedient that the general government should continue to prosecute internal improvements, by direct appropriations of money, or by subscriptions for stock in companies incorporated in the respective states.

Mr. *Haynes* called for the reading of the report. The clerk having progressed at some length,

Mr. *Chilton* moved to suspend the further reading, and that the report be on the table, and be printed.

After a few remarks between Messrs. *Wickliffe*, *Chilton*, and the *chair*, as to a point of order,

The clerk resumed the reading of the report; when

Mr. *McDuffie* moved to suspend the further reading.

[Here arose a discussion between Mr. *McDuffie*, the *chair*, and Messrs. *Mercer*, *Sutherland* and *Wickliffe*, as to the correctness of the motion of Mr. *McDuffie*. It was insisted, on the one side, that when a motion or resolution was being read the first time, it was not in order for a member to move to suspend the reading. On the other hand, it was asserted that, by a rule of the house, "when the reading of a paper" was "called for, and the same objected to by any member, it should be determined by a vote of the house." Former decisions in the case were also referred to; and the decision of the chair, that the motion was not in order, was appealed from. Mr. *Martin* was temporarily in the chair to-day. To save time, Mr. *Haynes* withdrew his motion for the reading.]

The report was then ordered to be committed, and the usual number of copies directed to be printed.

Mr. *Vance* moved for the printing of 6,000 additional copies; which motion, by a rule of the house, lays over till to-morrow.

Mr. *Craig*, from the committee on internal improvement, reported a bill confirming an act of the legislature of Virginia, relating to the Chesapeake and Ohio canal company, passed February 13, 1830; which was twice read and committed.

Friday, Feb. 11. Mr. *White* of New York, from the committee on naval affairs, reported a bill authorising the construction of naval hospitals at Charlestown, Mass., Brooklyn, N. Y., and Pensacola; which was twice read and committed.

Mr. *Lecompte* gave notice that he would, on Tuesday next, move for the consideration of a resolution submitted by him relative to the "supreme judges of the United States' court."

Mr. *Chilton* gave notice that he would, on Tuesday next, move the house to go into committee of the whole, for the purpose of considering the bill to amend the acts to provide for persons engaged in the land and naval service of the U. States during the revolutionary war.

Mr. *Everett*, from the committee on the library, reported the following resolution; which was read and agreed to:

Resolved, That the clerk of this house cause to be prepared, under the direction of the library committee of the house, a digested index of the executive papers, reports of committees, and other documents, from the commencement of the eighteenth to the close of the present congress, the same to be printed for the use of the members.

The house then resumed the consideration of the resolution to print 6,000 copies of the reports of the judiciary committee, on the question of repealing the 25th section of the judiciary act of 1789.

Mr. *Daniel* took the floor, and spoke till the expiration of the alloted hour.

The *speaker* laid before the house a letter from the postmaster general, in obedience to a resolution of the house, assigning the causes which have led to the irregularity of the eastern mail for some days past, and what remedy can be provided to prevent the delay; which was laid on the table.

The *speaker* also laid before the house a communication from governor Cass, transmitting a resolution of the legislature of the territory of Michigan, relative to the production of silk, and praying for a grant of four townships of land in that territory for the cultivation of the mulberry tree; which was referred to the committee on the territories.

On motion of Mr. *McDuffie*, the house proceeded to the consideration of the bill to compensate Susan Decatur, widow and legal representative of captain Stephen Decatur. A motion to fill the blank with $100,000 was agreed to. Several ineffectual attempts were made to amend the bill. It was ultimately rejected by the following vote: Ayes 81—Nays 89.

Mr. *Storrs*, of New York, moved that, when the house adjourns, it do adjourn to Monday; and said he made the motion on account of the two or three hours' darkness that would occur to-morrow: whereupon

Mr. *Whittlesey* moved that the house do now adjourn; but withdrew it, to give an opportunity for Mr. *Doddridge* to move a reconsideration of the bill just rejected, with a view also to move a reconsideration of the last amendment agreed to. Pending which motion, another was made, to adjourn, and

The house adjourned to 12 o'clock to-morrow.

Saturday, *Feb.* 12. After the reading of the journal of yesterday, and a report from the committee on engrossed bills,

Mr. *Dwight* moved an adjournment.

The motion was negatived—Ayes 49—Noes 60.

A bill or two of a private nature were reported and disposed of.

Mr. *Strong*, from the committee on the territories, reported a bill respecting the city of Detroit; which was twice read, and Mr. *S.* moved its engrossment for a third reading.

The question being put, it was ascertained that there was no quorum present, within the bar.

Mr. *Williams* moved for a recess for an hour and a half.

Mr. *Coleman* moved an adjournment.

The motion prevailed—Ayes 86—Noes 77; and

The house adjourned to Monday next, at 12 o'clock.

[The business of this day was interrupted by the eclipse—which the members desired to observe the progress of.]

Monday, *Feb.* 14. A number of petitions were presented and referred.

The house, on motion of Mr. *Edward Everett*, took up the petition which he offered on Monday last, on the subject of Indian treaties.

Mr. *Tucker* demanded the question of consideration.

Mr. *Vinton* moved for a call of the house, which was ordered.

There being 193 members present, the call was, on motion of Mr. *Tucker*, suspended.

Some discussion took place on a question of order, arising out of the circumstance that the demand made by Mr. *Tucker* was made while Mr. *Everett* had the floor, and before any motion or proposition had been made. The *speaker* at first decided the demand to be in order, but subsequently, after explanations and opposition from Mr. *Everett* and Mr. *Wayne*, modified his decision so as to permit Mr. *Everett* to submit a motion of reference.

Mr. *Everett* then moved to refer the petition to the committee on Indian affairs, with the following instructions:

To report a bill making further provision for executing the laws of the United States, on the subject of intercourse with the Indian tribes, and also for the faithful observance of the treaties between the United States and the said tribes.

Mr. *Wickliffe* then demanded the question of consideration, and the ayes and noes were ordered.

Mr. *Everett* then appealed from the decision of the chair under which the demand for consideration was received, and the ayes and noes were ordered.

The appeal was subsequently withdrawn.

The question was then put—"will the house now consider the motion?" and decided in the affirmative.

YEAS—Messrs. Angel, Archer, Armstrong, Bailey, Barber, Barnwell, Barringer, Bartley, Bates, Beekman, Bell, Buchanan, Burges, Butman, Cahoon, Cambreleng, Campbell, Childs, Chilton, Clark, Condict, Cooper, Cowles, Crane, Crawford, Crockett, Creighton, Crowninshi ld, John Davis, W. R. Davis, Deberry, Denny, Dickinson, Doddridge, Dorsey, Dudley, Eager, Ellsworth, G. Evans, J. Evans, E. Everett, H. Everett, Finch, Forward, Fry, Grennell, Gurley, Hemphill, Hodges, Hughes, Hunt, Huntington, Ihrie, Johns, Kendall, Kincaid, Adam King, Letcher, Mallary, Marr, Martindale, Lewis Maxwell, McCreery, Mercer, Miller, Nuckolls, Pierson, Ramsay, Randolph, Reed, Richardson, Rose, Russel, Shepard, Shepperd, Sill, Smith, Ambrose Spencer, Stanberry, Henry R. Storrs, Wm. L. Storrs, Strong, Sutherland, Swann, Swift, Taliaferro, Taylor, Test, John Thomson, Tracy, Vance, Varnum, Verplanck, Vinton, Washington, Whittlesey, Camp. P. White, Williams, Wilson, Young—101.

NAYS—Messrs. Alexander, Allen, Alston, Anderson, Baylor, Jas. Blair, Jno. Blair, Bockee, Boon, Pouldin, Broadhead, Brown, Carson, Chandler, Claiborne, Clay, Coke, Coleman, Conner, Craig, Crocheron, Daniel, Davenport, Desha, De Witt, Draper, Drayton, Duncan, Earll, Findlay, Ford, Foster, Gaither, Gilmore, Gordon, Green, Hall, Halsey, Hammons, Harvey, Haynes, Hinds, Holland, Hoffman, Howard, Hubbard, Irwin, Irvin, Isacks, Jarvis, Jennings, Richard M. Johnson, Cave Johnson, Lamar, Lea, Leavitt, Lecompte, Leiper, Lent, Lewis Loyall, Lumpkin, Lyon, Magee, McCoy, McDuffie, McIntire, Mitchell, Monell, Muhlenburg, Overton, Patton, Pettis, Polk, Potter, Powers, Rencher, Roane, Sanford, Scott, Shields, Speight, Sprigg, Standefer, Sterigere, Stephens, Wiley Thompson, Trezvant, Tucker, Wayne, Weeks, Wickliffe, Yancey —93.

So the house determined to consider the motion.

Mr. *Everett* then rose, and sustained his motion in a most eloquent and powerful speech; but, before he had concluded, gave way to

Mr. *Vance*, who moved that the house do now adjourn, which was carried in the affirmative.

The house then adjourned.

Tuesday, *Feb.* 15. On motion of Mr. *Buchanan*, the committee on the judiciary was discharged from the further consideration of the petition of Miles King, late navy agent at Norfolk, and it was laid on the table.

Mr. *Verplanck* made a report favorable to the establishment of one or more assay offices within the gold regions of the south.

On motion of Mr. *Chilton*, Wednesday the 14th inst. was set apart for the consideration of revolutionary claims.

Mr. *Doddridge*, according to notice, now moved a reconsideration of the vote of Friday last, concerning the bill for the relief of Mrs. Decatur, &c. which was rejected. Had the bill been so amended as to grant to the neices of commodore Decatur a portion of the sum of $31,412, proposed to be allowed to his widow, he believed the bill would have passed; and it was to try it with such an amendment that he moved its reconsideration. He therefore hoped that no gentleman would vote for the reconsideration who did not intend to vote for the bill, if it should be so amended, as it would be a waste of the time of the house

Mr. *Mercer*, lest that which was done by a full house might be undone by a thin one, moved a call of the house; but the motion was negatived.

The question was then put on the reconsideration of the former vote, and was carried in the affirmative: ayes 99, noes 96—and the question therefore recurred on ordering the bill to a third reading.

Mr. *Miller* moved an amendment to the bill, providing that $21,412, be paid to Mrs. Decatur, and 10,000 dollars to the daughters of com. Decatur's sister, Mrs. McKnight.

Mr. *Hammons* moved to strike out the words which particularized the neices, so as to leave the grant to be divided amongst all the neices of the deceased commo-

dore, his brother, *John P. Decatur*, having daughters equally entitled.

Mr. *Doddridge* opposed the motion. His object was to provide for those who were brought up by com. D. as a part of his family.

The motion of Mr. *Hammons* was lost; and on motion of Mr. *Hoffman*, the yeas and nays were ordered on Mr. *Miller's* amendment.

Mr. *McDuffie* moved to amend the amendment, by adding thereto a provision, that an additional sum of $10,000 be given to Mrs. Decatur, if at the end of three years that amount should not be claimed by the inferior classes provided for in the bill.

Mr. *Miller* accepted the amendment, but it being opposed by Messrs. *Williams*, *Taylor*, and *Drayton*, it was subsequently withdrawn.

The question was then put on Mr. *Miller's* amendment, and agreed to by the following vote: yeas 100, nays 82.

Mr. *Williams* now moved to recommit the bill to the naval committee, with instructions so to amend it as to provide for distributing the $100,000 appropriated, according to the prize act.

Some debate arose on this motion on the part of Messrs. *Williams*, *Chilton*, and *Barringer*; when, to put an end to what he deemed further unnecessary discussion, as he presumed every member was prepared to vote on the bill—

Mr. *Potter* moved the previous question, which, being sustained, it brought the question at once to the third reading of the bill.

The question was accordingly put; "shall the bill be engrossed and read a third time?" It was decided in the negative by the following vote:

YEAS—Messrs. Anderson, Barringer, Baylor, Beekman, Bell, Borst, Brown, Buchanan, Burges, Cambreleng, Campbell, Carson, Clay, Coleman, Condict, Craig, Crocheron, Crowninshield, Deberry, De Witt, Dickinson, Doddridge, Dorsey, Drayton, Dwight, Eager, Earll, Jos. Evans, E. Everett, Finch, Ford, Forward, Fry, Gilmore, Gordon, Green, Halsey, Hawkins, Hemphill, Hinds, Hodges, Holland, Howard, Ihrie, Thomas Irwin, Isacks, Jarvis, R. M Johnson, Cave Johnson, Leiper, Lent, Mallary, Marr, Martin, Thomas Maxwell, McCreery, McDuffie, Mercer, Miller, Mitchell, Monell, Muhlenburg, Nuckolls, Overton, Patton, Pearce, Pettis, Polk, Potter, Ramsay, Randolph, Rose, Scott, Smith, Ambrose Spencer, Richard Spencer, Sterigere, Stephens, Sutherland, Taliaferro, Varnum, Verplanck, Washington, Wayne, Weeks, Camp. P. White, E. D. White, Wilde, Wilson—90.

NAYS—Messrs. Alexander, Allen, Alston, Angel, Armstrong, Bailey, Noyes Barber, Barnwell, Bartley, Bates, James Blair, John Blair, Bockee, Boon, Bouldin, Butman, Cahoon, Chandler, Childs, Chilton, Claiborne, Cook, Conner, Cooper, Cowles, Crane, Crawford, Crockett, Daniel, Davenport, John Davis, Desha, Draper, Dudley, Duncan, Ellsworth, George Evans, Horace Everett, Findlay, Foster, Gaither, Grennell, Hall, Hammons, Harvey, Haynes, Hoffman, Hubbard, Hughes, Hunt, Huntington, W. W. Irvin, Jennings, Johns, Kendall, Kincaid, Perkins King, Adam King, Lamar, Lea, Leavitt, Lecompte, Lewis, Loyall, Lumpkin, Magee, Martindale, Lewis Maxwell, McCoy, Pierson, Rencher, Richardson, Roane, Russel, Sanford, Wm. B. Shepard, A H. Shepperd, Shields, Sill, Speight, Sprigg, Stanberry, Standefer, Henry R. Storrs, W. L. Storrs, Strong, Swann, Swift, Taylor, Test, Wiley Thompson, John Thomson, Tracy, Trezvant, Tucker, Vance, Vinton, Whittlesey, Williams, Yancey—99.

So the bill was again rejected.

On the motion of Mr. *Archer*, the house went into committee of the whole, Mr. *Drayton* in the chair, on the bill providing for distributing the sum obtained by the treaty with Denmark, for the indemnification of American claims.

Mr. *Archer* moved an amendment providing for a secretary to the board of commissioners, to be appointed by the secretary of state.

On motion of Mr. *Storrs*, the amendment was modified, so as to require that the secretary be appointed by the consent of the senate.

The amendment thus amended was agreed to; and the bill was reported to the house, and ordered to a third reading.

The engrossed bill supplementary to an act for quieting possessions, enrolling conveyances, and securing the estates of purchasers in the District of Columbia, was read the third time, passed, and sent to the senate for concurrence.

The engrossed bill to authorise the extension, construction, and use of a lateral branch of the Baltimore and Ohio rail road into and within the District of Columbia, was read the third time, passed, and sent to the senate for concurrence.

The amendment of the senate to the bill making appropriations for the completion and support of the penitentiary in the District of Columbia, was read and adopted by the house.

The *speaker* laid before the house sundry communications from the respective heads of departments.

The house took up the bill from the senate supplementary to the act passed on the 31st March, 1830, for the relief of purchasers of public lands, and for the suppression of fraudulent practices at the public sales of the lands of the United States.

Mr. *Irvin*, of Ohio, opposed the bill with much earnestness, and moved to strike out the second section.

Mr. *Clay* and Mr. *Baylor* advocated the bill, and replied to Mr. *Irvin*; and

Mr. *Irvin* rejoined more at large against the bill.

Mr. *Wickliffe* commenced a speech in favor of the bill, and had spoken some time, when he gave way to a motion to adjourn; and

The house adjourned.

Wednesday, Feb. 16. Much business was attended to this day—the details of which must be deferred.—The bill making general provision on the subject of pensions, was, after much debate, passed to a third reading; yeas 126, nays 43. A copy of this bill, with a list of the yeas and nays, shall be given hereafter. A large number of private bills passed in committee of the whole, which will sufficiently appear in future notices.

The message which had been received in the early part of the day from the president of the U. States, was then read, and referred to the committee on foreign affairs.

The said message is as follows:

To the house of representatives:

I communicate to the house of representatives, in compliance with their resolution of the 29th of January last, calling for information and papers respecting the seizure of American vessels by the naval forces of Portugal forming the blockade of the island of Terceira, a report from the secretary of state, which, with the documents accompanying it, contains the information in his department upon that subject; and avail myself of the occasion further to inform the house of representatives, that orders had, before the introduction of the resolution referred to, been given to fit out a ship of war, for the more effectual protection of our commerce in that quarter.

ANDREW JACKSON.

Washington, Feb. 15, 1831.

Thursday, Feb. 17. After transacting some private business, the house resumed the consideration of the resolution to print 6000 copies of the reports of the majority and minority of the judiciary committee—a discussion ensued, which had not been completed at the expiration of the hour.

The bill making further provision for revolutionary pensioners passed—ayes 132, nays 52.

The house then went into committee on the several appropriation bills, and after some time being spent therein,

The house adjourned.

GEN. JACKSON AND MR. CALHOUN.

We learn from the "National Intelligencer," that on Wednesday last, a subscription paper was handed about for signature in the house of representatives by the messengers of the house, the caption of which ran thus: "*Proposals by* DUFF GREEN, *for publishing the correspondence between general* ANDREW JACKSON *and* JOHN C. CALHOUN, *president and vice president of the United States, on the subject of the course of the latter, in the deliberations of the cabinet of Mr.* MONROE, *on the occurrences in the Seminole war—52 pages—price* 6 *dollars a hundred.*"

On the evening of the same day the pamphlet appeared, and the "Intelligencer" observes—

Though relating to by-gone questions in our public history, the correspondence is invested with an interest, from the character and elevation of the parties to it, which will claim for it as early an insertion as practicable. In

the mean time, to gratify, in some degree, the public curiosity, and to give our readers some insight into the nature of the correspondence, we insert this morning the introductory address of the vice president.

To the people of the United States.

I come before you, as my constituents, to give an account of my conduct in an important political transaction, which has been called in question, and so erroneously represented, that neither justice to myself nor respect for you will permit me any longer to remain silent; I allude to my course, in the deliberations of the cabinet of Mr. Monroe, on the Seminole question. I know not how I can place more fully before you all the facts and circumstances of the case, than by putting you in possession of the correspondence between general Jackson and myself, which will show the difference between the views that we have respectively taken, and by what means, and through whose agency, this long gone-by affair has been revived.

I have not taken this step, strictly defensive as it is, without mature deliberation, and a calm and careful estimate of all the obligations under which I act. That there are strong reasons against it, I feel and acknowledge; but I also feel the most thorough conviction that the sacred obligation to vindicate my character, impeached, as it has been, in one of the most important incidents of my life, and to prove myself not unworthy of the high station to which you have elevated me, far outweigh all other considerations. Should my vindication have any political or personal bearing, I can only say that it will not be because I have either willed or desired it. It is my intention simply to place my own conduct in its proper light, and not to assault others. Nor ought I to be held responsible should any such consequence follow; as I am free from all agency in resuscitating this old subject, or bringing it to the knowledge of the public. Previous to my arrival here, I had confined the knowledge of the existence of the correspondence to a few confidential friends, who were politically attached both to general Jackson and myself; not that I had any thing to apprehend from its disclosure, but because I was unwilling to increase the existing excitement in the present highly critical state of our public affairs. But when I arrived here, late in December, I found my caution had been of no avail, and that the correspondence was a subject of conversation in every circle, and soon became a topic of free comment in most of the public journals. The accounts of the affair, as is usually the case on such occasions, were, for the most part, grossly distorted, and were, in many instances, highly injurious to my character. Still I deemed it my duty to take no hasty step, being determined to afford time for justice to be done me without appeal to you; and, if it should be, to remain silent, as my only object was the vindication of my conduct and character. Believing that further delay would be useless, I can see no adequate motive to postpone, any longer, the submission of all the facts of the case to your deliberate and final decision.

I am not ignorant of the trying position in which I am placed—standing unsustained, except by the force of truth and justice; yet I cannot but look with confidence to your decision. The question presented for your consideration is not that of a controversy of two individuals, between whom you are to decide: viewed in that light, it would bear the aspect of a mere personal difference, involving no principle, and unworthy of your notice; but regarded in a different light, as involving the character of an officer, occupying by your suffrage, a distinguished official station, whose conduct in an interesting public transaction had been impeached, it assumes a far more important bearing, and presents a question of deep import for your consideration. The most sacred of all political relations, is that between the representative and the constituent. When your suffrage places an individual in a high official station, a most solemn obligation is imposed on you and him, on the the faithful discharge of which, the existence of our free and happy institutions mainly depends; on him, so to act as to merit your confidence, and on you, not to withdraw that confidence without just cause. It is under a profound regard for this mutual and sacred obligation that I submit the whole affair to your determination, conscious that in this, as well as every other public transaction of my life, I have been actuated by a solemn sense of duty to you, uninfluenced by fear, favor or affection. I cannot but look forward to your entire approbation.

I owe it to myself to state, that I come before you under circumstances very painful to me, and a reluctance which nothing but a sense of duty to you and myself could overcome. Among these circumstances, is the necessity of being instrumental in disclosing, in any degree, what I deem so highly confidential as the proceedings of the cabinet, and for which I feel myself justified only by absolute necessity. Acting under this impression, I have not felt myself at liberty to go, even in self-defence, beyond strict necessity, and have, accordingly, carefully avoided speaking of the course of my associates in the administration, and even of my own, beyond what appeared to be indispensable. I have not put even Mr. Crawford's statement of his course in the cabinet at issue, except only incidentally, as bearing on his statement of mine. It is no concern of mine, except in this incidental way, what representation he may choose to give of his course, as to this subject, now or formerly, or whether his representation be correct or erroneous.

Before I conclude these prefatory observations, I deem it proper to make a few additional remarks, as to the commencement and motive of this movement against me.

The origin goes far back, beyond the date of the present correspondence, and had for its object, not the advantage of gen. Jackson, but my political destruction, with motives which I leave you to interpret. The enmity of Mr. Crawford to me, growing out of political controversies long since passed, afforded a ready and powerful instrument by which to operate; and it was early directed against me, with the view of placing general Jackson and myself in our present relations. With that motive, in the midst of the severe political struggle which ended in elevating him to the presidential chair, and in which I took a part so early and decided in his favor, a correspondence was opened at Nashville, unknown to, and unexpected by me, in December, 1827, which commenced that chain of artful operations, that has terminated by involving general Jackson and myself in the present correspondence. A copy of the letter which opened this operation has been placed in my possession. It was written by Mr. Crawford to Alfred Balch, esq. of Nashville, and is dated the 14th December, 1827. That the nature and objects of the operations against me may be fully understood by you, I hereto annex the copy of Mr. Crawford's letter to Mr. Balch, and a copy of a letter from the honorable Wilson Lumpkin, a representative in congress from the state of Georgia, to me, dated the 27th January, 1829, in which it was enclosed, with an extract from the letter of the hon. Daniel Newnan, member of congress elect from the same state. I submit them without comment.

The movement thus commenced did not terminate with this letter. It was followed by other attacks from the same and other quarters, some of which are indicated in the correspondence now laid before you.

It may be proper to state, that I remained ignorant and unsuspicious of these secret movements against me, till the spring of 1828, when vague rumors reached me that some attempts were making at Nashville to injure me, but I treated them with silent neglect, relying confidently for protection on the friendly relation which had so long existed between general Jackson and myself, and the uniform and decided course which I had taken in his favor, in the political struggle then pending. My support of him rested on a principle that I believe to be fundamental in our political system, and the hope that his deep rooted popularity would afford the most effectual means of arresting the course of events, which I could not but foresee, if not arrested, would bring the great interests of the country into a deep and disastrous conflict.

JOHN C. CALHOUN.

STATE NOMINATIONS OF PRESIDENT.

General assembly of Illinois,
Vandalia, January 4th, 1831.

Resolved by the general assembly of the state of Illinois, That we have entire confidence in the unbending integrity, political experience, and tried patriotism of ANDREW JACKSON, president of the United States.

Resolved, That we approve of the plain republican principles upon which our national government has been administered by him; that we highly approve of the principles developed by his late message, which shews that he is disposed to maintain national improvements,* protect the rights of the states, and guard our commercial relations, placing them upon solid and durable basis; that the system of a fair and just protection to our manufactures, and a prompt reduction of her national debt, are objects to which his most devoted efforts are now directed; and that he has, moreover, shown the most ardent disposition to allay sectional jealousies and discontents, and to perpetuate the union and durability of our confederacy at all hazards, and so far as the acts of his administration are capable of contributing to the honor of the nation, we have from his conduct the best guarantee that they will continue to be directed with a single eye to that object.

Resolved therefore, That we approve of the recommendations made by the republican members of the legislatures of the states of Pennsylvania, New York, New Hampshire, North Carolina and Alabama, of general Jackson to fill the office of chief magistrate of the United States, for the next presidential term, believing it highly important to the interests of the nation that he should continue, under the present posture of our affairs, to serve in that office during another constitutional period.

Passed the senate, ayes, 14, nays 3; house of representatives, ayes 28, nays 6.

HOUSE OF REPRESENTATIVES OF MASSACHUSETTS—JANUARY 22.

From the Boston Courier.

The secretary came in with the following message and document from the governor:—

To the hon. senate and house of representatives.

His excellency the governor of Alabama has forwarded to me a copy of certain resolutions adopted by the general assembly of that state, and formally and officially approved by him on the 11th December last, which, although unaccompanied by the usual request that they should be laid before the legislature of the commonwealth, yet could have been transmitted for no other purpose, and are, therefore, from that courtesy which is due to the authority from which they emanate, now respectfully submitted to your consideration.

The purport of these resolutions is an extraordinary and extra legislative nomination of the president of the United States for re-election, together with expressions of unlimited confidence in his fitness for that high office, and an unqualified approval of the principles he has introduced into his administration, the measures he has recommended, and the views he has from time to time presented of the true policy of the government. They also declare an opinion, that "the best interest of the union requires his re election, and recommend him to the other states of the union for the office of president after his present term shall expire."

An appeal thus formed, and directly addressed to the states of the union, presupposes an expression by the legislatures respectively, of the sentiments entertained by them, on the same subjects, and suggests a consideration of the propriety of that action here, which otherwise, might have seemed gratuitous, and would be as unusual as it has hitherto been uncalled for. The concurrence of Massachusetts in the resolutions of the legislature of Alabama is not to be presumed; but it may be due to the frankness of communication with a sister state, as well as to the sincerity and support of our own principles, that an explicit declaration should preclude the misapprehension of assent to propositions to which their reception, without some expression of notice, might tend. An interesting and momentous crisis in the domestic relations of the states to each other and to the general government, seems to be fast approaching. The strength of the union is assailed, at various points, with menacing and fearful import of evil. The laws of congress, by one legislature, are denounced as the exercise of usurped and arbitrary power, and by the summary proceeding of popular resolves, are declared unconstitutional and void. By another legislature, the authority of the highest judicial tribunal, acting within the scope of its accustomed operation, and with the sanction of numerous precedents, is set at defiance, and, upon sudden occasion, by precipitate decisions, without argument or time given even to deliberation, its precepts are contemned, and military force threatened, in resistance to civil process in its ordinary and peaceful course of execution.

Again, the faith of the nation is claimed for the keeping of the state governments, to be interpreted according to the pleasure of each of these sovereignties, while the policy of the country is sought to be conformed to their ever-varying interests, or to the cupidity and excited passions of opposing sections and conflicting parties of citizens. Is it not time, then, in this peril of all which is valuable, that patriotic friends of the union, true men, who, loving, will go for their country, should rally to its preservation—that they should look for security, beyond the men and measures of the administration, to the constitution, the only shield which can be interposed between the errors of rulers and the sacred rights of the people;—that with a faithful allegiance to the charter of their independence, they should give their firmest purpose and most strenuous efforts to maintain its strength against the assaults with which it may be menaced? Much may yet be hoped from respectful, temperate, and persuasive appeals to a spirit of forbearance and patriotism, in opposition to violent and sudden counsels. The union can only be preserved through the rigor of its institutions, and constitutional independence of its various departments. The general government must be sustained, if sustained at all, in the unimpaired exercise of all its legitimate functions. There is no other safety to the states themselves than in the guaranty of a republican form of government by the sovereignty of the nation. The first measure of actual collision will be the certain onset of civil conflict, and with the destruction of the confederacy, would terminate the republics whose jealous and diverse interests could not endure the necessary bond of mutual protection.

To the counsels of your discretion and wisdom, and patriotism, I commend the consideration of these vastly interesting subjects. For the few suggestions which I have offered, I seek no apology beyond the occasion which requires the transmission of the accompanying document. There are periods when a silent performance of an act of duty might justly be deemed an avoidance, both of personal and official responsibility. An explicit declaration of opinions on measures which directly affect the vital principles of the government, and in their consequences may shake the republic to its foundations, is the first and highest obligation of every citizen, and least of all are they to be excused in the neglect of this, who, as representatives of freemen, are placed at the posts of observation, to watch with vigilance and in faithfulness, to sound the alarm, on the approach of danger.

It is not to nominations of candidates for the presidency, but to graver questions of enduring political moment, which have respect to the distribution of the powers of the government and the security of their rightful and free exercise; to the principles and policy which should direct a republican administration, rather than to individuals, who are, or who may be, temporarily entrusted with it, that I would invite your attention.

LEVI LINCOLN.

Council chamber, Jan. 29, 1831.

Executive department, Tuscaloosa, 1830.

SIR—I forward to you the following document, in pursuance of the resolution of the general assembly of the state of Alabama. I have the honor to be with high regard, most respectfully, sir, your obedient servant,

GABRIEL MOORE.

*In the senate of the United States, February 7, Mr. Kane, of Illinois, presented memorials from the *legislature of Illinois*, for an appropriation to aid the state in making a road from Vincennes to St. Louis.

☞A road from Vincennes to St. Louis *must* then be a "national improvement." The consistency of the legislature of Illinois cannot be questioned!

The resolutions of Alabama that follow are entitled to the same remark—that state has asked for many appropriations, for roads, canals, and so forth.

WHEREAS, the confidence which the citizens of the state of Alabama reposed in the wisdom and patriotism of ANDREW JACKSON, induced them to yield him their almost undivided voice for the presidency of the United States; and whereas, his administration has been such as to justify their high expectations, and to enable them to realize their anticipations that he would pursue such a course of policy as would advance the interests and redound to the glory of our common country, and whereas, it is believed that the general assembly would perform an acceptable service to their constituents, to recommend him to the good people of the United States, for re-election:

Be it therefore resolved by the senate and house of representatives of the state of Alabama, in general assembly convened, That their confidence in the fitness of Andrew Jackson, for the office of president of the United States, is increased and strengthened by the republican principles he has recommended, and by the just and elevated views he has from time to time presented of the true policy of government.

Be it further resolved, That in their opinion the best interest of the union requires his re-election; and they, therefore, recommend him to the other states of the union for the office of president, after his present term shall expire.

And be it further resolved, That the very able, firm and patriotic course pursued by Andrew Jackson, president of the United States, at the last session of congress, in opposition to the passage of the Maysville road bill, and others of like character, requiring appropriations from the treasury of the United States for local objects of internal improvement, justly entitles him to the highest [praise] and gratitude of all friends to liberty and free government.

JAMES PENN,
speaker of the house of representatives.
SAMUEL B. MOORE,
president of the senate.

Mr. *Sullivan*, of Boston, said that since he had known any thing of legislative matters, nothing had ever come up, as he recollected, of more importance than this message. It was questionable whether the state of Massachusetts ought ever, under any circumstances, to make any legislative enactment recommending a person for election as president of the United States. The term of the present president, said he, has two years to run, and in the course of that time two popular elections are to take place by which great changes may be made; it is impossible to foresee the changes which may take place, and who is to occupy these seats at that time is not known, but still he would not have the message and its accompanying papers, passed in silence. He called the attention of the house to the time when the federal constitution was under consideration; it was at that time prophesied that this confederacy would not exist for forty years, and late events seem sufficient to excite alarm that that prophecy may yet become history. He thought it necessary that the legislature should take up this subject in a deliberate manner. It is proper for each state to express an opinion on the existing state of things. If Alabama should think proper to resist by force the enactments of the union, what but rebellion or war could take place? The confederacy would then be broken, and when will another be formed by the whole people of this nation? He repeated, that the subject was important, and he concluded by moving, that the message and its accompanying documents be committed to a select committee of seven.

Mr. *Blake*, of Boston, suggested that as the subject was novel, and no example could be offered as a precedent, the message should be printed.

Mr. *Shaw*, of Lanesboro', said that this was a part and parcel of the agitation of the day. He rose mainly to ask the house to pause and consider before they took any step in this matter. The message was calculated to produce a feeling in the house, and an excitement which the governor, probably, did not anticipate, an excitement which the people are not desirous of witnessing. He said that Massachusetts had once taken a step of the same kind and did once nominate a president of the U. States. It was not a new subject, and every state in the union sometimes went out of the regular course to something of the kind. It was not the purpose of the legislature of Alabama to present the nomination to the state of Massachusetts for concurrence, but it was sent to the governor as an act of courtesy. His excellency the governor perhaps, knew not what else to do with the resolutions, and many thought perhaps the present disposition of them a very rational and proper one; but now they are in the house, it is proper something else should be done. He agreed with the gentleman from Boston, (Mr. Blake), that if the house moved in the matter it should move with caution. Have not the people of the south, said he, their memories, and have not we, also, our memories, and does it comport with Massachusetts to read the other states a lesson which every school boy who hears can retort upon her? The subjects, except that of the presidency, are in the hands of an able and patriotic committee of the other house, and he did not think it worth while to refer them also to a committee of this house, who might report in concurrence with the views of the other and might not. In time the whole matter would probably come before the house in a proper manner. He advised the house not to involve itself in constitutional questions.

Gentlemen speak, said he, of this being a time of peril. Does not the gentleman from Boston recollect a situation in which our country was once before placed, when nineteen twentieths of the people thought that the country was in deeper peril than it ever has been? If he does not, there are many others who do. He did not believe that this earth is rocking and that a volcano is to break out which will seal the destruction of the union. These discussions come up naturally in the course of events, and always will come up. As they occur, some state will always be found partially in the revolt. New England has once been similarly situated, and every state in the union has followed suit. Is it proper, then, said he that we should read our southern friends a lesson on political wisdom? He did not entertain so many fears; he did not believe but that the south will eventually become reconciled; we should yet be able to go on for a long course of years, enjoying and dispensing the benefits of our republican government. The experiment is not going to a close—far from it—the light of intellect is abroad. We must bear and forbear as members of the confederacy, as we bear and forbear as individuals. He moved that the papers be laid upon the table.

Mr. *Gray*, of Boston, made a few remarks in favor of the commitment, the whole of which we could not hear; he observed that it was no uncommon thing for committees of the two houses to have a different conception of the same subject, and he thought the objection of the gentleman from Lanesboro' of little consequence.

Mr. *Shaw* rose to observe that he intended to make it he did not do so, a motion to lay the papers on the table, which would of course take precedence of the motion to commit. After some explanation from the speaker, Mr. S. being understood as making a suggestion, Mr. Shaw proceeded to say that he made a motion to that effect.

Mr. *Shaw* said, gentlemen boast that this is a perfectly harmless subject, but he thought differently. If a committee report they must report for or against the recommendation of the legislature of Alabama. He begged the gentlemen of the house to recollect what is their duty in this case; it is not to expound constitutional questions by resolves. The scheme of bringing these questions before the public is the most artful that was ever designed by factious men, and it is to avoid the consequences he would have them laid on the table, and not legislate upon them so hastily. There may be more in these resolutions than we see, and more than the governor apprehended. He would not have the house act upon them in the dark. The opinions of states should be like the laws of the Medes and Persians. Massachusetts, although now opposed, politically, still retains the highest niche in the scale of the whole, and he asked if it is proper for her to be handing her opinions about, thus carelessly formed, for the consideration of the whole country?

Mr. *Brooks*, of Bernardston, said he would be as backward as any one in acting on this subject, but he entertained far different views from those of his friend from

Lanesboro'. The commitment of all messages and papers was the necessary course of business, and it would be a disrespect to the governor to lay it upon the table as well as the state which sent the resolutions. If the subject is not a proper one for the attention of the house, the committee could so report.

Mr. *Blake* hoped that a single word would be sufficient to substantiate the reasonableness of his views. He agreed with the gentleman from Bernardston, as to the course of the ordinary business of the house, but the present case was a novel one, and he wished to calculate the bearing of the measures before the house took one step, it should consider the whole case. It is proper that the members of the house should understand the matter better than they do from hearing the message once read. That paper was a sensible and proper one he would venture to say, coming from the source it did, and he certainly would yield to no one in his respect for the governor; but he wanted to know what that paper was, to know when he sent it to a committee that he did not commit himself. The resolutions from Alabama are of a novel character, if his memory served him rightly. When the house came to consider the crisis in which the country was placed, there was much to be said. He said that there was much ground to anticipate the worst; the government is in opposition to the government; a state of things unprecedented in the history of the government exists; he knew all that had been said in respect to the judiciary, according to present prospects, we are but a hair's breadth from a revolution in South Carolina. South Carolina and Georgia are opposed to the whole operation of the tariff laws, and any attempt on the part of the executive to enforce the revenue laws, would be fatal to the union so far as regards those states.

Mr. *Holden*, of Charlestown, said that he thought the whole thing would end in smoke, and that it was not worthy of the consideration of the house. The motion to commit was a very proper one. He had not so many fears as the gentlemen had expressed, and thought that the least said was the best; there would be time enough to discuss the subject hereafter, when the government found itself attacked and at variance with the state governments. He thought the present disturbance mere smoke, and would pay no more attention to it than was necessary from regard to the source from which the message and resolutions came.

Mr. *Allen*, of Pittsfield, said he was a member of the house in 1812, and he recollected that propositions and resolutions and speeches recommending a dissolution of the union, were heard at that time in the house. The state was opposed to the general government on account of the war; there were no means of carrying on the war; and gentlemen now in the house could recollect what was said and done. He was then in as small a minority as at present—

Mr. *Holden* called the gentleman from Pittsfield to order, to which Mr. *Allen* replied that he did not mean to be out of order. Mr. *Holden* said that so long as the gentleman kept within the bounds of the question he should not complain.

Mr. *Allen* said that he would look over the matter and find some reminiscences for a future day. He was in favor of committing, and the committee might report or not.

Mr. *Sullivan* said he was reluctant to trouble the house, but he would turn the attention of the members to the subject as it stood. Gentlemen were extremely liable to be carried away by eloquence, he knew that he was himself; but still he did not see all the application of the remarks made by the gentleman from Lanesboro'. The position in which the matter stands is this—the governor receives a communication from the governor of Alabama, containing the resolutions of the legislature of that state; the governor of Massachusetts knows not exactly what to do about it, there is no request to impart the information to this house, and what shall he do with it? put it in his pocket, and let it be said in every newspaper in the country that, from personal or political feeling, he keeps the matter to himself, when every body knows that it has been sent to him? Every body would say he did wrong. He has done differently and sent it here; he has seen fit to express his opinion on these resolutions, which may be right or wrong. He (Mr. S.) saw no other way of doing than to send the message to a committee; he was willing to trust any committee the speaker might select to express an opinion; he thought it ought to be committed. If the gentlemen wanted the message and papers printed, he had no objection; the very object he had in view in the first place was to prevent discussion at the present time without a sufficient knowledge, and so far he agreed with his colleague (Mr. Blake.)

Mr. *Shaw* rose to make one word of explanation. He thought that gentlemen misunderstood the matter. He would not show any disrespect to the governor, but gentlemen must recollect that the ordinary course of business was to lay papers upon the table; the annual message of the governor was always laid upon the table, and he thought it no disrespect to lay this there also.

The motion to lay upon the table was lost, 128 to 136. The house then voted to commit, according to Mr. Sullivan's motion, and the speaker took time to select the committee.

Mr. *Sullivan* then moved for the printing for the use of the house, to which the chair replied, that having been committed to a committee, the papers were not in the possession of the house.

Mr. *Shaw* suggested that the rules and orders might be suspended, to enable the gentleman to get out of the dilemma in which he was placed.

Mr. *Sullivan* replied that in order to get out of the dilemma to which the gentleman alluded, he would withdraw his motion.

Mr. *Blake* then moved a reconsideration of the vote for commitment, but on the suggestion of Mr. *Brooks* that he voted in the negative, he withdrew, and the same motion was made by Mr. *Russell*, of Boston, who stated that he voted for the commitment. Mr. *Brooks* opposed the reconsideration, and Mr. *Adams* of Boston made a few remarks, stating that he voted in the affirmative under the impression that the documents could afterwards be printed.

Mr. *Armstrong*, of Boston, said that he thought the matter was assuming an importance that did not belong to it. He agreed with the gentleman from Charlestown, that the fears of gentlemen were groundless. People get together and become excited, they pass resolutions under their excitement, but that was the end of the matter. He voted to lay the documents upon the table, and there he would have them remain. He had no objection to their being printed, and could see none that others could have, for in order to understand them the members must read, and they could not have an opportunity to read them unless they were printed. He said the matter was, as the gentleman had said, all smoke; the smoke might be a summer cloud, but it might, also, be a tempest, and its character could not be ascertained except the papers be printed.

Mr. *Shaw* said that as the question had assumed a new shape he would make a few suggestions upon it in its new character. He was in favor of reconsideration of course, because then the subject would come up as he wanted it in the first place. But he had a suggestion to make which did not occur to him before, and which made him still more anxious for reconsideration. If the committee are now put in possession of the papers there they must remain, and the house must be in the dark until the committee makes a report. The report may come to the house in a questionable shape, and it must either be accepted or rejected. The house must then act upon it and virtually either accept or reject the nomination of general Jackson for the presidency; must either sustain the opinions of the governor, on the subject, or father the political heresies contained in the Alabama resolutions; for the acceptance or rejection of the report of the committee would place the house in one of these situations. He begged gentlemen to pause and to consider what they were about. It was too often the case that the house was placed in such a situation as he had alluded to, from inconsiderate and hasty legislation. He appealed to the members whether such had not been the case ten times within the last six years. The house must take the resolutions when they come back, and must act upon them one way or another.

After some conversation relative to a point of order in which Messrs. *Russell* and *E. Wright* of Boston did

not seem at all to understand the matter as the speaker did, Mr. *Sullivan* again rose and said that he hoped no more time would be spent about the business, he hoped the vote would be reconsidered and that all would vote in favor of the motion now before the house.

Mr. *Gray* said something which we could not hear, and as soon as he sat down,

Mr. *Brooks* again rose to make some explanations, as we understood, but the house all at once became quite noisy, and he concluded amidst a din of coughing from all quarters.

Mr. *Shaw* said he hoped that the house would learn a lesson from the proceedings of the present moment which would be of use hereafter, and teach the members not to be in haste to legislate upon any subject before it was understood. The vote for reconsideration was carried, and on motion of Mr. Shaw, the papers were laid upon the table and ordered to be printed for the use of the house.

IN THE LEGISLATURE OF DELAWARE.

The communication from the governor of Alabama being recited—the "Delaware Journal" says—

The above communication was referred to a committee consisting of Messrs. Huffington, Rodney and Kennedy, who, on the 26th, submitted the following report, which was adopted: in the house the votes stood—*yeas* 16, *nays* 3; in the senate, *yeas* 7, *nays* 1.

The committee to whom was referred the communication of the governor, transmitting sundry resolutions of the state of Alabama, approving of the course pursued by Andrew Jackson as president of the United States, and recommending his re-election, beg leave to recommend the adoption of the following resolutions,

Resolved, by the senate and house of representatives of the state of Delaware, in general assembly met: That this general assembly do not accord with the views of the legislature of the state of Alabama, as expressed in said resolutions, nor do they believe "the best interest of the nation" requires the re-election of the said Andrew Jackson after his present term shall expire.

Resolved further, That in the opinion of the legislature, a decided majority of the people of this state are opposed to the re-election of the said Andrew Jackson to the presidency of the United States, after his present term of office shall expire.

Resolved further, That the conduct of Andrew Jackson, as president of the United States, in refusing his signature to the Maysville road bill, and other bills for the promotion of internal improvements, in some of which this state was greatly interested, meet the most unqualified disapprobation of this legislature, and that we can but view the same as a wanton exercise of power regardless of the interests of the people.

And whereas, the state of Alabama, through its legislature, has thought proper to express its views as to the person who shall next fill the presidential chair, we deem it a privilege and perhaps a duty, to declare what we conceive to be the wishes of the people of our own state—Therefore

Resolved further, That the able, firm and patriotic course of that talented patriot and profound statesman HENRY CLAY, exhibited through the course of a long life, mostly spent in the public service, merits and has our fullest approbation and warmest gratitude—that we believe the best interest of the nation would be greatly promoted by his election to the presidency of the U. States, after the term of office of Andrew Jackson shall have expired, and that we therefore recommend him, the said HENRY CLAY, to the people of these United States as a suitable person for their next president.

Resolved, That his excellency the governor be requested to transmit copies of these resolutions to the governors of the different states, to be laid before their respective legislatures.

At a numerous meeting of the members of the legislature of Pennsylvania, at Harrisburg, on the 3d instant, the following resolutions were adopted—

WHEREAS, in the opinion of the members of this meeting, the democratic citizens of this commonwealth retain undiminished confidence in the integrity of general ANDREW JACKSON, president of the United States, and believe that the measures of the present administration of the general government are based upon sound principles of national policy, both as regards our foreign and domestic relations: And whereas, it is our opinion that the great interests of the country, and the union and harmony of the democratic party of the United States, require that Andrew Jackson should again be the candidate for the presidency: Therefore,

Resolved, That we highly approve of general Andrew Jackson's consent to become a candidate for re-election to the presidency of the United States, and of his consistency in adhering to his maxim, "neither to seek nor to decline office."

Resolved, That we have entire confidence in the talents, integrity and patriotism of our chief magistrate, GEORGE WOOLFE, and view the measures of his administration as eminently calculated to promote the prosperity of the commonwealth, and the cause of public virtue.

Resolved, That the support of the present general and state administrations is the most effectual means of preserving the union of the democratic party of Pennsylvania.

Mr. Petrikin offered the following resolution, which was unanimously adopted:

Resolved, That this meeting approve of the tariff adopted by the congress of the United States, and warmly approve of the steady support given to it by the Pennsylvania representation in that body.

Mr. Hassinger presented to the chair the following communication addressed to general Jackson, which was read, adopted and signed by the members.

[COPY.]

Harrisburg, 3d February, 1831.

To his excellency ANDREW JACKSON, president of the United States.

SIR—The undersigned, members of the legislature of Pennsylvania, having convened in order to express their opinions in relation to the next presidential election, beg leave to communicate their entire satisfaction and continued confidence in your administration of the government of this union. They believe that it is conducted upon the principles of sound policy, and which are eminently calculated to promote the interests and harmony of the confederacy. They are therefore, highly gratified that you have again consented to yield to the anxious solicitations of your fellow citizens in becoming a candidate for re-election. No event could tend so much to the union and harmony of the great republican party of these United States; and, consequently, to the best interests of our beloved country. In speaking these sentiments, we are confident that we are only giving utterance to the feelings of the democratic citizens of Pennsylvania.

We are, very respectfully, your fellow-citizens,

[Here follow the names of seventy-eight members.]

JACOB M. WISE, *president.*

HENRY SIMPSON, }
WM. G. SCOTT, } *vice presidents.*
THOS. RINGLAND, }
FRED'K. SMITH. }

E. BANKS, } *secretaries.*
W. G. HAWKINS, }

LEGISLATURE OF ALABAMA.

House of representatives, Jan. 10.

Mr. Dillahunty introduced joint resolutions against the establishment of a branch or office of discount and deposite of the bank of the United States, in the state of Alabama, which was read, and is as follows:—

Joint resolutions of the general assembly of the state of Alabama, protesting against the establishment of a branch or office of discount and deposite of the bank of the United States in the state of Alabama.

Whereas, it is believed that the president and directors of the bank of the United States are desirous of establishing a branch or office of discount and deposite of said bank, at some point in the northern part of this state—And *whereas*, it is believed by this general assembly, that the introduction of such an institution is calculated not only to prejudice the interest of our own state bank, but also to injure the people at large, because a *favored few* would be enabled to control the operations of the institution so as to favor their own views and interests exclusively,

Therefore, be it resolved by the senate and house of representatives of the state of Alabama, in general assembly convened, That it would be regarded as a flagrant violation of the rights of this state, for the president and directors of the bank of the United States, or any other person or persons in their behalf, to attempt the establishment of a branch or office of discount and deposite of said bank, within the limits of this state, unless requested so to do by a majority of the general assembly, acting in their legislative capacity.

And be it further resolved, That his excellency the governor, be requested to forward a copy of the foregoing preamble and resolutions to the president and directors of the bank of the United States, instructing them, if it should become necessary, to remonstrate against any such arbitrary procedure on the part of the said president and directors.*

Mr. Saunders moved to postpone the further consideration thereof, and that it be made the special order of the day for to-morrow, which was lost. Yeas 23—Nays 38.

The question was then put on the adoption of the resolution, and carried. Yeas 51—Nays 7.

Tuesday, Jan. 11. Mr. Baker, who voted in the majority on the adoption of the joint resolutions, protesting against the establishment of a branch or office of discount and deposite of the bank of the United States in the state of Alabama, moved to reconsider that vote.

Wednesday, Jan. 12. The house resumed the consideration of Mr. Baker's motion, to reconsider the vote upon the adoption of the joint resolutions of the general assembly of the state of Alabama, protesting against the establishment of a branch or office of discount and deposite of the bank of the United States, in the state of Alabama, which was carried. Mr. Lea moved to amend the resolution by striking out the words "a favored few," which was carried. The question was then on the adoption of the resolution as amended.

The previous question was called for by Mr. Clark, and agreed to by a majority of the members present; and the question being put, shall the main question now be put, and passed in the affirmative, the main question was put on the adoption of the resolution, and carried—yeas 46—nays 20.

Ordered, that the title be as aforesaid, and that it be sent to the senate for their concurrence.

☞ There is a branch of the bank of the United States at Mobile. We do not see why a difference should be made between the *northern* and the *southern* part of the same state.

THE LAND BILL vs. THE GOLD DIGGERS.

Some discussion appears to be taking place upon the merits or rather demerits of the 16th section of the land bill, excluding gold diggers from a draw in the prospective land lottery. This section, if we have been correctly informed, was introduced by an *enemy* to the bill, with a view to destroy it, believing that the *friends* of it would never force its passage, with a feature so unjust and bearing so oppressively upon the rights and interests of the people of the western circuit. Alas, how vain are human calculations. This same land bill, with this same obnoxious feature attached to it, received from this same western circuit, (on the people of which the burden falls) eighteen votes on its final passage, without a remonstrance, and without a protest against its injustice, or "unconstitutionality;" of these eighteen votes, *sixteen* were of the Clark, and *two* of the opposite party. If this fact is doubted, proof is at command. As a ground of electioneering against the Troup party, they are now charged with opposition to the gold diggers, when it is well known, a majority of that party were unfriendly to the bill introduced by Mr. Haynes: but if the fact were true as to the house of representatives, where they had the majority, who, it may be asked, carried the bill through the senate? *The Troup party of course,* although there was a majority of some eight or ten against them. Verily these Troup men are not to be trusted. The *magic,* the *charm* of their principles is forcing the representatives of a different party to vote against the known interest of their constituents. Cannot the people check the tide of such an evil. Those proscribed by this bill may well say, "had it been mine enemy, then could I have borne it, but mine own familiar friend," my own representative "has lifted up his hand against me!" The "land bill" was considered to be *popular,* and a "land bill" its friends were determined to have at all hazards. They have it.

A writer in the "Federal Union," of the 15th inst. over the signature of "A Gold Digger," speaking of this bill, says,

"But, sir, as free citizens of this state, we have rights, and can enforce them. We compose a part of the *sovereign* people of the body politic. We have *constitutional* rights of which corrupt legislation cannot deprive us.—The law by which we have been thrown out of the pale of citizenship is *unconstitutional,* and therefore not binding upon us.—We will not submit to its operation. Shall we be charged with *rebellion* for this? What! the *free* and *sovereign* people REBEL! and before what tribunal shall we be arraigned and punished? Let it be remembered that we are *free* men—and that the existence of freedom excludes the idea of coercion; any attempt at the latter will be an act of usurpation, and would inevitably lead to a separation of the upper from the lower counties—of what worth to us is the continuance of this union with them, when it is used to divest us of the rights of freedom?

"We will throw ourselves upon our *sovereignty*—we will marshal our reserved rights:—a *convention* will be called, and in imitation of the example set us of late, we will proceed to *nullify* the iniquitous clause in the law by which it is attempted to deprive us of our privileges."

We commend the tone and spirit of the above extract; it speaks the language of one, at least, who is determined to be free. No nullification is, however, necessary. The "lower counties" are not opposing the interest of the upper counties. The bill passed by a vote of seventy-six to fifty-five. Sixteen votes from this circuit, taken from the seventy-six in favor, and added to the fifty-five against the bill, would have defeated it by eleven votes. These sixteen votes were from counties, the citizens of which, to prevent the people of Tennessee, Kentucky, Alabama, North and South Carolina, from pilfering the gold mines of their entire loose treasure, had *under these circumstances,* come in for their share of the spoil. For this they are excluded. If nullification is resorted to, we shall see the pretended enemies of this doctrine, presenting the singular anomaly, *of a party nullifying the acts of its own members.** [*Georgia Athenian.*

CONDITION OF ENGLAND.

The state of society in this country is dreadful. "Oppression hath made the people mad." The following are mere examples. We might fill a whole sheet with accounts of similar excesses. *Reformation* YET proceeds *revolution!* Unless the former puts down placemen and pensioners and *government* priests—relieves excessive taxation, and refuses to expend five millions of dollars for the *repair* of one of the houses of the king, one wide ruin must and will take place. There *is* a point at which endurance ends. "A feather may break a camel's back."

From late London papers.

A terrible affray took place at the seat of Mr. Coote, near Fordmbridge, on Monday. A party of men came to the house, soliciting relief, to whom money was given. A short time after another party arrived for the same purpose, but rather in a more determined manner, to whom it was thought necessary to give an absolute refusal. On this a threat was made that a large number would attack the house during the succeeding night, break in, and hang them all. To guard against such an outrage, Mr. Coote, Mr. Brabazon, and another gentleman, with some servants, seven in all, stationed them-

*This resolution is according to the *copy* before us, incomprehensible. We presume that some words have been left out.

*The right to *nullify* has this right in it—and *any* other right, not encompassed with guns and rifles and swords! ED. REG.

selves on the steps of the entrance, well armed. At two o'clock in the morning, the rioters approached, and on being refused money, their leader gave the signal "to lift up their bars and strike." The first stroke was received by Mr. Coote, when instantly his gamekeeper with a single blow of a cutlass, cut off the fellow's arm, which fell to the ground. Immediately a closing of the respective parties took place, and the encounter was most severe. At one time twenty-two men lay disabled in the field; and at length eleven of the mob, covered with mud and gore, were secured in the mansion, who have since been committed to prison.

On Sunday week, in a parish between Winchester and Andover, about 150 or 200 labourers went to the parish church during morning service, made the minister desist in the middle of service and accompany them into the church-yard, when they insisted on his lowering his tythes. On his presenting them with £2, and promising to take their application into consideration, they departed to their homes.

A letter from Banbury, contains the following statement of the wages of the farming labourers in that part of the country:—"The average wages (hay time and harvest excepted), of a farming labourer who has a wife and family, have, for the last two years, been 9*s* a week. Allowing the family three meals a day—breakfast, dinner, and supper; allow one penny per head for each meal; at the end of the sixth day the whole wages will have been spent, and not a single farthing left for the seventh day, for fuel, for clothing, for the other articles absolutely necessary to keep a family in cleanliness.—Observe, I say average wages, if there are instances of 10*s*., there are others of only 6*s*. The wages of a stout single man have, in winter, been only 3*s*. sometimes 3*s*. 5*d*. very rarely 4*s*. a week; but my inquiries have not been so pointedly directed to this class as the other. Cannot the tenantry pay higher wages? No. As a body they are paying rent, tythe, and taxes, not from profits alone, but from capital as well."

On Wednesday morning a mob of between two and three hundred persons surrounded the farm of Mr. Allen, at Iver, and began to pull it down. They were, however, opposed by the magistrates and a strong party of constables, and several of the ringleaders were taken into custody. Some of the men who were captured were receiving 12*s*. per week.

Mr. Lockhart, the vicar of Stone, Bucks, has reduced the rent of the vicarage from £125 to £80 per annum.

The following is from a correspondent in Wiltshire. At Fonthill some thrashers are still working at 7*s*. per week. A laborer, with his wife and children receives only this as wages, and his wife and children are allowed by a scale in proportion to their age. A girl of 19 receives 1*s* per week, and a boy of nine, 9*d*. Fine healthy boys of 14 and 16, are strolling about without occupation, and they say that when in work they cannot get more than eighteen pence per week. The mill at Fonthill has been unoccupied for nearly two years, and very few persons indeed are employed about the grounds.—Indeed, the whole place seems fast sinking into ruin. The cottages are fast decaying, and the broken windows indicate the extreme poverty of the once prosperous and happy peasantry of Beckford. The land, for the most part, let to tenants at will, is far from being well cultivated, and it is rarely that the poor are allowed more land than a very small slip of garden ground.—The machines are all broken in this neighborhood.

There are now 280 prisoners in Devizes house of correction, charged with being concerned in the late riots.

Nearly the whole of the corn in the parish of Cotton, Cambridge, where the fire took place last week, has been destroyed. At a meeting of magistrates, they came to the following resolution:

"*Resolved*, That in order to allay the irritation which appears to exist at the present time in the minds of many of the labouring classes, the magistrates for the county of Cambridge will immediately make inquiry into the actual state and condition of the poor in every parish of the county."

If a similar inquiry were instituted in every county, the source of the grievance would be traced, and parliament might proceed to legislate on sure grounds, but if we are to trust to measures of defence without probing the root of the evil, we shall find, perhaps, when it is too late, that in putting down the late turbulent assemblages of the people, "we have only scotched the snake—not killed it."

Twenty-two laborers, charged with committing outrages in the county of Essex, were tried at Chelmsford on Friday, for destroying thrashing machines on the 6th and 8th ult. They were all found guilty. Six of them who were most active in the mob, were ordered to be transported for seven years; and the others were sentenced to different terms of imprisonment, and to be kept at hard labor.

On Saturday, a barn, containing the produce of about four acres of barley, in the occupation of Mr. C. Hearne, of Burghfield, was destroyed. A thrashing machine was on the premises, which appears to have been the cause of the fire.

On Wednesday last, James Gilson, bailiff to lord Northwick, and five other men, were brought up on warrant before the rev. Mr. Hall and the rev. Mr. Broughton, charged with violently pulling down a thrashing machine, the property of Mr. Fritwell, of Upton, Wold farm, in the parish of Blockley. Mr. Fritwell, an offgoing tenant to lord Northwick, is in occupation of the barns and fold-yards on his farm until lady-day next; and on Tuesday morning his lordship's bailiff, accompanied by a constable named William Blackford, with his staff of office, came, and, in defiance of Mr. Fritwell and his servants, took the horses from the machine, which was thrashing at the time, and pulled it down, saying, they had his lordship's orders for so doing! Bail was taken for the appearance of the offenders at the next quarterly sessions, and Mr. Fritwell was bound over to prosecute.

On Monday last this town, [Loughborough] was thrown into much confusion and alarm, by large numbers of frame-work knitters assembling to attend a meeting, for the purpose of obtaining a rise of wages.—The magistrates endeavored to persuade the large parties they met to return, or at least to throw away their large and formidable looking sticks. These efforts failing, the yeomanry cavalry were sent for. The mob seemed to direct their hostility against the warehouse of Messrs. Paget, and called out to the magistrates that they did not allow sufficient parochial relief. They also took hold of the bridles of the magistrates' horses, and forced them into the inn yard. Shortly after the riot act was read, and a party of the light dragoons having arrived, the parties dispersed, declaring they were starving, and uttering loud threats towards their employers.

Last week 17 hogs out of 19, were poisoned on the premises of Mr. Doggett, of Burwell, Cambridge.

On Thursday two machines were burnt at Brickhill and Fenny Stratford.

The Brighton Herald of yesterday contains the following communication relative to the state of the country. A single instance of incendiarism only has taken place for upwards of a week, and with advanced wages the peasant appears to be content. It is our duty, however, to state, that from correspondence with various parts of Sussex, we are led to apprehend that the existing calm is only the prelude to another storm. From one of the letters before us, written by an intelligent person, we extract a passage confirmatory of this idea, and whose view of things generally is supported by information we have received from other sources:—"That the recent advance in the price of labor," observes our correspondent, will prove a healing measure for any length of time, is a position which I positively deny.—Depend upon it, that the farmers are unable to pay the increased wages which they have undertaken to do—I mean the little farmers, who constitute the great majority of our whole agriculturalists. They may, to be sure, go on for a while, until their remaining property is frittered away, when they must give up their land, and become dependent on the poor rates. In a few instances, it is true, that the rents and tithes have been reduced, but, generally speaking, the relief has not been afforded, and matters have therefore come to this pass, that the announcement of a tythe-audit has been the signal for a troop of horse or infantry, or an armed civil force, to occupy villages where for years a soldier had not been

seen, and where such a thing as a special constable had never been heard of. The middle class of farmers, thus pressed on one hand by their starving laborers, and on the other by their landlords and the clergy, will, unless speedily rescued from their painful dilemma, be compelled to make common cause with the former, whom they must consider as fellow-sufferers, while the latter they must look upon as exactors and oppressors. Then will come the real storm, compared with which, what has just passed by will have been a summer breeze."

A Carlisle paper, giving an account of a burning, [an every night's business], says—The buckets were taken from those carrying water, and tossed into the flames, amidst considerable cheering; the pipes of the fire engine were cut in six places, and a police officer of the name of Bowman, who was standing on the engine, directing the pipe upon the stacks not on fire, was knocked down by a stone which struck him on the forehead, and inflicted a severe though not a dangerous wound.—When the flames appeared to get low, the embers were stirred up with sticks, and as the fire brightened up, a part of the crowd cheered! The fire continued to burn the whole night, and the stack, which might be worth about £50, was entirely consumed. In one part of the crowd we heard the expression—"This will teach them to make corn laws;" in another—"This will enlighten the Boroughmongers."

On Wednesday a meeting of the country magistrates was held, to consider what steps should be taken, when £100 was offered for the apprehension of the incendiaries. One man has been taken into custody for cutting the engine pipes, and warrants are out against some other persons who were recognised as actively engaged in this diabolical work. The following is a copy of a written hand bill which has been posted in Caldewgate: "£1,000 reward for the apprehension of boroughmongers, stock-jobbers, tax-eaters, monopolizers, special constables, and the extinguishers of freedom.—By order of the Swing union."

☞ As before observed, the preceding are mere examples; but for the sake of *our* "philosophy," we wish to observe that they were among the *agricultural* population.

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A repeal of the union—of Ireland with Great Britain, has been much spoken of. In a debate on this subject, in the house of commons—

Lord *Althorp* said it was the anxious desire of government to improve the condition of Ireland. He thought it right that the attention of the house should be particularly directed to Ireland, as to the most distressed part of the United Kingdom. [hear, hear!] It was the exertion of the Irish government that last year prevented additional taxation being laid on Ireland.

Mr. *O'Connell* said he had a right to complain of the member for Abingdon, for imputing sinister motives to gentlemen who agitated the question of the repeal of the union. England had thirty millions of taxes taken off since the peace—Ireland had nominally £500,000 taken off, and had 300,000 laid on; and by one act, making the taxes payable in English currency instead of Irish, her taxes were increased one-thirteenth. Ireland ought to have a parliament of her own, not one removed from the wants, and feelings, and influence of the people. Since the union of Ireland, her manufactures were swept from the land. He defied any one to deny that there was more misery in Ireland than in any other country in the world, and yet no country was more tranquil.

Sir *R. Wilson* said he was in Ireland at the period of the union, and never witnessed such a picture of misery in any other country. Wretched and abject as the Egyptian was, it was his feeling that his condition was superior to that of the Irish people. He therefore hailed the union as a measure of benevolence and humanity. All that Ireland now wanted was repose, which would cause capital to flow into it. If there was a repeal of the union, there would be a struggle for Catholic ascendancy, which would lead to a civil war.

Mr. *Leader* wished to preserve the union; but thought the drain for absentees might endanger it. He admitted that much of his popularity was lost among his constituents, by his not supporting a repeal of the union.

Mr. *O'Gorman Mahon* said there were millions at this moment pledged to each other to make the repeal of the union the only Irish question during the next session of parliament. The distress of Ireland, before the union, has increased ten fold since. There were exactions to an enormous amount in the districts of Ireland for the support of the Protestant church, where there never was a Protestant. Had Ireland been left in the possession of her own resources, the present state of distress could not have arisen. It could not be concealed that the sway of the honorable member for Waterford was paramount in Ireland; and, whatever else might be the effect of his measures, they had, at all events the merit of keeping the country tranquil. It was most unjust of the gallant general to impute to the Catholics of Ireland, the wish to drive the Protestants from the country, or to assume any ascendancy over them.

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Fifteen persons were sentenced to the house of correction, in London, for one month, from motives of humanity, being found huddled together in an unoccupied house, without the means of subsistence: and, at about the same time, between sixty and seventy wagon loads of *royal* gold and silver plate were conveyed to the palace of Windsor, to be used in a great entertainment that "his majesty" was about to give.

The following "form of prayer, on account of the troubled state of certain parts of the United Kingdom," has been ordered to be used in "the churches." If the fat, and greasy, and foul priests, who are *commanded* to dole-out or mumble these words, would shew a sense of common honesty, in subsisting themselves by honest labor, instead of preying upon the miseries of the flocks that they are shearing, we might hope that the *act*, would ascend—but must believe that the *words* will *descend*! A big bellied thing—rolling in luxury, may well talk about "blessings," as the word goes; and he who feeds upon the "first fruits" of the land, *impudently* call those "turbulent" and "wicked," who are restive because they have nothing to eat! The "plucked geese" may yet have *their* day, and put down that supreme curse, a *national church*: which, of itself, costs English slaves more labor and toil than the whole government imposes on the free people of the United States, including all their civil, social and religious institutions. It is time that such impositions were ended.

Form of prayer—To be used immediately before the litany; and when the litany shall not be read, before the prayer for all conditions of men, in all cathedral, collegiate, and parochial churches and chapels in England and Ireland.

O God, our Heavenly Father, who art rich in mercy and grace towards all who obey Thy will, and hast promised forgiveness and remission of sins to them that truly repent, and unfeignedly believe Thy holy Gospel, we humbly beseech Thee to look with compassion on Thy servants, and relieve their affliction. We have sinned; we have grievously sinned, and transgressed Thy holy Laws; we confess our iniquity, we lament our unworthiness, and meekly acknowledge, that by our manifold offences, we have justly provoked Thy wrath; yet deal not with us, O Lord, according to the multitude of our transgressions, but in judgment remember mercy. For thy dear Son's sake, O Lord, give ear to our prayer, and withdraw Thy chastening hand from us. To Thee alone we look for deliverance; without Thy help and direction the power and wisdom of man are of no avail. Restore, O Lord, to Thy people, the quiet enjoyment of the many and great blessings which we have received from thy bounty; defeat and frustrate the malice of wicked and turbulent men, and turn their hearts: have pity, O Lord, on the simple and ignorant, who have been led astray, and recal them to a sense of their duty, and to persons of all ranks and conditions in this country, vouchsafe such a measure of Thy grace, that our hearts being filled with true faith and devotion, and cleansed from all evil affections, we may serve Thee with one accord, in duty and loyalty to the king, in obedience to the laws of the land, and in brotherly love towards each other; and that pressing constantly forward towards the high prize of our heavenly calling under the guidance of Thy Holy Spirit, we may finally attain to life everlasting,

through the merits and meditation of our only Redeemer and Advocate, Jesus Christ our Lord. Amen.

O God, the Father of our Lord Jesus Christ, our only Saviour, the Prince of Peace, give us grace seriously to lay to heart the great dangers we are in by our unhappy divisions. Take away all hatred and prejudice, and whatsoever else may hinder us from Godly union and concord; that as there is but one body, and one spirit, and one hope of our calling, one Lord, one faith, one baptism, one God and Father of us all, so we may henceforth be all of one heart, one soul, united in the holy bond of truth and peace, of faith and charity, and may, with one mind and one mouth, glorify Thee, through Jesus Christ our Lord. Amen.

The riots in England. About 300 persons were found guilty by a special commission, at Winchester, of having participated in the acts of outrage committed in Hampshire. On the 29th December, the judge proceeded to pass sentence. Twenty prisoners were arraigned in the dock, or prisoner's box, the others in the jury boxes. Six were sentenced to be executed, twenty to be transported for life; and fifty-seven to be transported for various periods; against all these sentence of death was recorded, and a vast number of others were sentenced to be transported for seven years, with having sentence of death recorded.

Plain speaking. The London Times of 20th December, has the following allusion to the Fitz-clarences, illegitimate children of the king:

The irregular scions of a certain illustrious house are becoming troublesome. We do not wish to be particular: we trust that the young men and women to whom we allude, are not so blinded by infatuated conceit as not to take a hint. Is THIS a time to make claims without service? Is the mere accident of left-handed birth to be a ground for honors or wealth? One thing we can confidently predict; if, as it is said, the clamorous progeny have put forth pretensions which ought not to be listened to, THE PARENT who has magnanimously and patriotically refused the appeal, will have acquired a fresh title to public admiration and affection. It is a maxim of law, that the KING can do no wrong. What a noble moral, as well as political comment, on this maxim, would it be, "that the KING *will do no wrong.*"

[The large family of the Fitz-clarences, are the children of the king and the late famous Mistress Jordan. Most of them—if not all, are "nobly" married, and they have a great many needy relations to attend to.]

The Irish government has decided upon calling out the Irish yeomanry. This is a most important resolve. There are a sufficient number of *Protestants* in Ulster, (says an Irish paper), to save this country from ruin!

DEATH OF BOLIVAR.

The following articles from the "Jamaica Courant," will interest many of our readers.

The time has not yet arrived for a just appreciation of the conduct and character of Simon Bolivar. That he had much personal courage, and unconquerable perseverance, is manifest; and, until latterly, all men seemed to regard him as solemnly devoted to liberty and the rights of man. Some parts of his proceedings have appeared mysterious to us, at so great a distance from the scenes of his action—and it was feared by many that he aimed at the sovereign power, and a crown. We think, however, it is very probable that what has shewn itself as most objectionable to us, may have been the result of necessity. We are entirely satisfied that the people of the new southern states are unfitted for the enjoyment of a free representative government—the generals being every thing, and the people nothing more than fighting-machines in the hands of the chiefs; to restrain the latter, and give peace to the inhabitants of Colombia, was doubtless a darling wish in Bolivar—and he may have reasonably believed that these things could not be accomplished unless in the establishment of a *strong* government: for that *moral power*, which long has been the glory of the United States, is hardly felt among the mixed and ignorant races who make up the population of the new states. His value will be better estimated by the course of things that shall follow his death.

BY DON JUAN FRANCIS MARTIN,

Prefect of the department, to the citizens of Magdelena.

Penetrated with the greatest grief, I am overwhelmed with sorrow. The father of our country is no more! The public calamities and the ingratitude of his enemies, have brought him to an untimely grave on the 17th inst. at 1 p. m. His end has been hastened by his heroic sacrifices for his country, and the tears of his friends attest the sincerity of their grief for the loss of a hero, whose name must be forever embalmed in the hearts of his countrymen.

Citizens—The liberator has been devoted to you to the latest period of his existence. Hear his voice, and respect his decrees, which should we violate, the national ruin must be the inevitable result, and the independence of Colombia will die with the hero who gave her liberty.

Citizens—The liberator has left us forever. We must be unanimous, and go hand in hand for the good of the union, and secure what he has already achieved for us—obeying the actual government, in order to liberate us from anarchy, and our conduct will correspond with the liberator's desires. Remain firmly united together, and swear on his grave to follow up the dictates which his inspired mind laid down for the good of his country, and by this means, will we honor his memory, and discharge a heavy debt of gratitude.

JUAN DE FRANCISCO DE MARTIN.

Carthagena, Dec. 21, 1830.

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The following is the last decree issued by Bolivar, and alluded to by general Martin:—

The liberator to the citizens of Colombia.

COLOMBIANS—You have aided me in concentrating my force to cherish liberty where tyranny has fixed its abode. I have unceasingly and disinterestedly exerted my best energies for your welfare. I have even abandoned my fortune and my personal tranquillity in your cause. My enemies abuse your credulity, and endeavor to destroy my reputation by questioning my love of liberty; and fellow citizens, I grieve to say it, that I am the victim of my persecutors, who have now conducted me almost to my grave;—but I pardon them.

My affection for my country will not permit me to sanction any extraordinary funeral obsequies. My last desire is, and my last hope is,—to see the consolidation of my beloved country. Let all unite for the good of the union—let the people confide in the actual government to save them from anarchy—let the priests offer up their orisons to heaven, and the soldier regard his sword as the best guaranty for preserving the institutions of his country.

Colombians—I leave you; but my last prayers are offered up for the tranquility of Colombia, and if my death will contribute to this desirable end by a discontinuance of party feeling, and consolidate the union, I shall descend with feelings of contentment into the tomb, which will soon be prepared for me.

SIMON BOLIVAR.

Signed at the camp of Haciendo, a league from Santa Martha, 10th December, 1830.

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The following general order was issued at Carthagena, on the 21st ult. by the military commandant.

Soldiers—The sun of Colombia is set. His bright rays has ceased to shine on this part of the globe. The father of his country—the illustrious Bolivar, is no more, and a century of mourning will not be sufficient to shew our love, our gratitude, and our attachment!

Soldiers—You well know what Colombia has lost in her liberator—a loving father—a faithful soldier—a wise magistrate, and the best protector of humanity.

Soldiers—Our liberator trusted always in true patriotism in your virtues, as well as the affection you voluntarily evinced towards his person

Soldiers—It is not possible to misunderstand the cause of his death, and the country will appreciate your submission to the existing government as a proof of your attachment to your late chief. I shall attend to his last desires, and shall be the first to show my submission to the last mandate of the benefactor of Colombia.

IGNACIA DE LUQUE.

Carthagena, 21st Dec. 1830.

NILES' WEEKLY REGISTER.

SEPTENNIAL NUMBER——BALTIMORE, FEB. 26, 1831.

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT $5 PER ANNUM, PAYABLE IN ADVANCE.

☞The present, which we have called a "septennial number," closes the thirty-ninth volume of the REGISTER, which contains, in all, 480 pages—or as much matter as is usually compressed into three volumes of common octavo.

There is reason to believe that the next volume will be uncommonly interesting. We have on hand for it, many valuable congressional speeches, reports, &c. and a large quantity of statistical matter. The papers belonging to the affairs at issue, between Messrs. Calhoun, Crawford, and others—are highly important for preservation; and, in the ensuing summer, because of the meeting of a new congress in December, it may be "calculated" that ardent discussions of the internal improvement and tariff questions will ensue; and proceedings of great importance, in respect to them, must be expected. Political movements, of extraordinary character, must also be looked for—many changes being anticipated, from the present high effervescence of parties. And withal, *we* regard, with considerable interest, the result of our challenge to Mr. *Ritchie*, to meet us, broadly, on the *constitutionality, operation* and *effect* of the protecting tariff: so that there cannot be a want of matter, in the ensuing six months! And, we shall use the utmost exertion that our means will admit of, to keep pace with events, and present a *faithful chronicle* of these interesting times—pursuing our old and established course; avoiding personal assaults, unless in extreme cases, or self-defence, and always giving "both sides" of a question, if reasonably, and rightfully, presented for insertion.

The times are pregnant with important results, at home and abroad. The moral, social and political world, is agitated. "It is pleasant, through the loop-holes of retreat" to look at the doings of busy men—to watch the rise and fall of persons and the changed condition of things. But in all such up-liftings and down-goings—mutations and transformations, we desire to remain the same—the humble but zealous and faithful advocate of the *free laboring people*, and of the *substantial independence* of our country—about which we have no *ju-di-cious* notions. We go for the *absolute* prosperity, and *unquestionable* independence, of the UNITED STATES ——without the hope of reward or fear of punishment, other than as we shall honestly apply the "talent" given, that it may profit the American republic—the asylum and last hope of all who love liberty.

The editor is much flattered because of the increased kindness and support of the people. They will not suffer a "nullification" of the REGISTER, so long as it remains faithful to its old principles, and pursues an unbroken and consistent course.

MR. CALHOUN'S PAMPHLET is passing through the press with astonishing activity. Almost all the capacious newspapers, that have yet had time to give it a place, are filled with it. We regret the circumstances that have compelled a brief postponement of its publication by us, as stated in the last REGISTER. But we shall present it—with the other important papers which it must give birth to. Mr. Crawford, surely, will reply; and others are, or will be, involved in the controversy. The "Globe" has broken ground upon Mr. Calhoun, and the "Telegraph" replies with much resolution and spirit. The first is supposed to be in the interest of Mr. Van Buren, the last in that of Mr. Calhoun. Many reports are in circulation—but this seems agreed, that the breach between the president and the secretary of state, on one side, and their friends, and of the vice-president and his friends, on the other side—is irreparable. This result has been expected, for several months. The president has refused further communication with the vice-president, in broadest terms—and so has Mr. Calhoun with Mr. Crawford; but neither will arrest the progress of discussions. We do not mean to offer any comments on the correspondence,—but it looks highly probable that a certain distinguished gentleman has "*committed*" himself. Such appears to be the only opinion entertained in this city, by the *general* political friends of the parties. We are told, that there is much feeling at Washington, because of this pamphlet. The "Globe" calls it a "FIREBRAND *wantonly thrown into* THE *republican party*"—and says, "*If this be not an arraignment of the president, at the bar of public opinion*, it has no motive or meaning." The "*Globe*" is right. It was not in the power of Mr. Calhoun, in vindicating himself, to avoid such "*arraignment*," much as he seems to have wished it. Mr. Calhoun has, certainly, made out his case ably. Mr. Crawford cannot stand justified in exposing the confidential proceedings of the cabinet;—the ex-ministers of France refused such exposures, though several might have excused themselves by making them; and many will believe that this whirlwind of party has been unnecessarily called up. Mr. Calhoun's opinions as secretary of war, and years ago—had no relation to the present president of the United States.

We shall do all that we can, and as soon as we can, to present and preserve a history of things, "at this momentous crisis."

☞Since the preceding was written, we have, from the "Telegraph," a letter from Mr. Forsyth to the editor, enclosing his letter to Mr. Hamilton; and one from Mr. Crawford to Mr. Calhoun. The substance of neither can be intelligibly given to our readers, as we have not yet inserted Mr. Calhoun's pamphlet. They make five heavy columns of small type. Mr. Crawford's letter is long, and very severe. He excuses himself from the charge of having disclosed the secrets of the cabinet, and gives instances in which such things had happened before; and because that *the* "cabinet no longer exists," &c. The correspondence, so far as it goes, between Messrs. Crawford and Calhoun, is exceedingly bitter.

INTERNAL IMPROVEMENT. We give a sketch of the debate which happened in the house of representatives on the 19th inst. when the bill making appropriations for the improvement of harbors, rivers, &c. was passed—136 to 53. Mr. *Carson's* speeches are excellent! He went "the whole"—denouncing the policy as a scheme by which "the liberties of the people are to be bought up." A pretty cheap purchase, we should think; but Mr. C. is resolved that *he* will not be among those so "*bribed*." This is well—and the amiable temper displayed by him, will not fail of being admired. We recommend those speeches to the attention of our readers. The nice distinctions of Mr. *Barringer* are also worthy of high consideration. He appears to think that the constitution of the United States is bounded by the high (*tide*) water mark of the rivers and harbors. He sees no difficulty in voting money for the improvement of harbors and the mouths of rivers, though even located on the lakes, to facilitate the "commerce" of the country—because commerce pays the revenue. But commerce pays no revenue. It is *consumption* that pays all; and one of the surest and best ways to increase the consumption is in cheapening transportations, thus lessening the cost of imported commodities and increasing the value of home productions. If a man should build a mill, but refuse liberty to pass over his ground, "to bring grist to it"—we should suppose him to be ——— a very queer fellow! But Mr. B's argument, like all others, on the subject, is not consistent with itself. The "commerce" on the lakes affords no "revenue"—in *his* use of these terms. Mr. *Blair's* views are correct on this subject. He could not see a right to improve the mouth of a river, and not to improve the river itself. The principle involved is the

same, whether a bill be reported by the committee on commerce, or on roads and canals. But a harbor, without means of communication with the interior, for the purposes of commerce, is like "the Indian's *gun*," which had "neither lock, stock, or barrel!"—unless as a shelter for vessels in seasons of storms.

There is power to make roads and canals—or there is not power to improve the mouths of rivers and harbors. The power to regulate commerce, &c. has the same direct bearing upon the business of the Chesapeake and Delaware canal, as on a coasting voyage from Baltimore to Boston. It is not within the scope of logic to make a division of the principle.

As some of the items in this bill, in the estimation of a large part of the friends of the president, are "unconstitutional," we cannot see how it can be approved, according to certain rules already established—if it shall not be "smothered" in the senate. We shall see, as Mr. Ritchie says.

A GOOD RESOLUTION! The "Richmond Enquirer" of the 8th Feb. says—

"We have lately published a paragraph announcing the marriage of Thomas R. Friend, of Charlotte county, with a young lady of James City.—We understand that this is an imposition upon the editors, and upon the public. If we were acquainted with the real name of our informant, we would not hesitate to *publish him.*—We take every precaution in our power to avoid such silly and reprehensible quizzes. We require the annunciation to be avouched for by some name,—yet names are forged for the purpose of giving such paragraphs circulation.—Should we be able hereafter, to detect the author of the communication in question, we shall give his name as much circulation as the forgery he has palmed off upon us."

☞ Does not our venerable friend know the author of the "East Room Letter," one of the most palpable impositions ever levied on the public credulity—and as base and wicked a tissue of *wilful untruth*, as ever was sent forth, to abuse honest men? If our venerable friend knows the name of the writer of the "East Room Letter," let him shew his sense of justice by *first* giving that to the people. We shall then believe him in earnest as to the paragraph quoted.

SPECIE. It is supposed that the specie lying in the vaults of the several banks of the United States exceeds thirty millions. The circulation is not less than 10 millions more, without counting the sums hoarded, for special purposes, by individuals.

A LOCOMOTIVE ENGINE, built at York, Pennsylvania, by Messrs. Davis and Gartner, has been tried on the Baltimore and Ohio rail road. It proceeded at the rate of from 16 to 18 miles an hour, though not yet fully fitted for operations. A higher velocity than 15 miles, does not appear to be desirable.

THE HARTFORD "TIMES" has a long article about the tariff, &c. It abounds with misrepresentations, alter the manner of these "whole hog*" *times;* but it is mainly the parts which affect myself that I shall notice. It speaks of the "system-maker, Hezekiah, of the Baltimore Register," and, further on, says—"Mr. Clay, Robert Wickliffe and Hezekiah Niles, and all the prominent advocates of the 'American System,' have condemned, *unqualifiedly*, the law of the last session, reducing the duties on tea, coffee, molasses, &c."

All that "Mr. Clay or Robert Wickliffe" may have said, cannot be known to me, but it will require more than an *assertion* in the "Times"—(which has afforded so many "rewards" to its reputed editors), to make me believe the matter stated, because that, concerning myself, "Hezekiah Niles," is "*unqualifiedly*" *false.*

The original duties on coffee, tea and molasses were laid for *revenue*, only. By the *first* tariff of 1790, coffee was subjected to a duty of 4 cents per lb. increased to 5 cents in 1794—tea (bohea, the first named in the list), 10 cents per lb. and molasses, at 3 cents per gallon. But after the late war, further to aid the *revenue*, and for that purpose only, the duty on bohea tea was raised to 12 cents, and on molasses to 5 cents. In the tariff of 1828, the two first remained as established long before, but the duty on molasses was now doubled, or advanced to 10 cents. By whom?—72 of the "friends of Mr. Adams" and 10 of those of "general Jackson," voted against this rise of duty, and 95 of the friends of general Jackson and 19 of those of Mr. Adams, voted for it. The votes of the southern states—the "free trade" states, stood thus—for and against the increased duty:

	For it.	*Against it.*
Virginia	16	2
North Carolina	6	6
South Carolina	9	0
Georgia	6	1
Tennessee	9	0
Louisiana	0	3
Alabama	3	0
	49	12

These are the *planting* states. North Carolina was divided, because of her valuable trade with Cuba; and Louisiana was for the increase, as a matter of course. Messrs. John Randolph, George McDuffie, and the present governors of South Carolina and Georgia, Messrs. Hamilton and Gilmer, voted for the high duty, and so did Messrs. George Kremer and C. C. Cambreleng; so did others from New York, Pennsylvania, and Kentucky—because they believed that an arrest of the distillation of New England rum, would increase that of whiskey, and make an increased demand for the surplus grain of their states—in which they were entirely disappointed. But the members from the planting states, and the representative from our "commercial emporium," had no reason of this sort. *Their* purpose was to overload, and so destroy, the bill; and for this they supported a proceeding which several of them had the honesty to acknowledge was wrong in itself! "Hezekiah Niles" was opposed to this enormous duty on molasses—and for many reasons: he cannot then, be otherwise than pleased, *that southern "gentlemen" have become ashamed of themselves and retraced their steps.*

To revert to the tariff of 1790, arranged by the first congress of the United States and approved by president WASHINGTON. This assembly contained some of the very souls of the revolution, as well as fathers of the constitution—some of the foremost in the field or in council, to win—and some of the ablest in the closet to secure, the rights and liberties of the people of the United States—a body of men second only to the congress of 1776. The title of the tariff law of 1790, is, "*for the support of government, for the discharge of the debts of the United States,* AND THE ENCOURAGEMENT AND PROTECTION OF DOMESTIC MANUFACTURES." And in the *latter* account, *James Madison* [clarum et venerabile nomen], expressly tells us, was the ORIGIN OF THE CONSTITUTION, *and in* VIRGINIA! —where such practice, under that constitution, was lately discovered to be *unconstitutional* by one of her politicians, who can split a hair into its north, south, east and west sides, and infallibly discover all the relations between them—and who would rejoice more in pointing out *essential differences* in these parts than in the discovery of longitude. The duties on coffee, tea and molasses were laid by the *first* congress of the

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*I excuse myself in the use of this beastly phrase, as being one fully understood by the makers of the "Times." That it is rightly used in regard to *them*, I offer the following remarks from their paper, on the rejection of Mr. Mussey, (by the senate of the United States), who had been nominated, by the president, collector at New-Haven, in the place of a revolutionary soldier.

The Hartford Times thus characterizes the senate of the United States!

"Happily for Mr. Mussey, and for all who have been before that inquisitorial tribunal, where character is assailed without remorse, a rejection of the present senate conveys no unworthy imputation, can injure no man's character. *Men, whose reputations far transcend those of their ignoble! riers—men whose names would be sullied by even a comparison with their vindictive assailants, have been rejected by this senate.*"

United States, to support the government and pay our debts—but they levied like duties on many articles for the "*encouragement and* PROTECTION" of the domestic industry. Take one striking case, by way of example. The "*system makers*" of 1790, placed a duty of 10 cents per lb. on bohea tea, if imported direct from China—but of 15 cents, if from any other place. This proceeding, at once, stepped the *British* trade in that article for our supply, and transferred it to *American* ship owners—as it was designed that it should do. What *fools*, in the estimation of the writer in the "Times," and Mr. C. C. Cambreleng, were the members of the congress who commenced that "system" which "Hezekiah Niles," at an humble distance, supports! Well—the congress of 1816, (some of whom perhaps, were as wise men as the "five or nine" reported editors of the "Hartford Times" who have been "rewarded"), for *revenue* purposes, advanced the duty on bohea tea to 12 cents, and on molasses to 5 cents, because money was wanted, and believing that those articles would bear the increase. The "encouragement or protection" of domestic industry had nothing to do with these proceedings; for we did not grow one pound of coffee or tea, and the then small home supply of molasses was not thought of. These duties were not complained of—they were light, indeed, compared with the duties imposed on the same articles in other countries; and revenue must be had, in one way or another. I prefer direct taxation, on "houses, lands and slaves," for the chief support of government—and have preferred that *system* ever since I was in my "teens;" and, if the repeal of those duties shall render a direct tax necessary, I will not grumble about it.† Those who recollect the *wildness* that once prevailed in the financial calculations for the United States, in the first period of the administration of Mr. Monroe, Mr. Crawford being secretary of the treasury, will not take this suggestion as an extravagant one.‡ In a certain year, there was so much money that almost every body was distressed to know how it should be disposed of—in two years after, we had to borrow money, and yet certain parts of the public debt, due and payable, *were not paid, for the want of means!* "History is *not* philosophy" to the herd of politicians.

I repeat it—it is *unqualifiedly false*, that "Hezekiah Niles" "*unqualifiedly condemned*" the act of the last session, reducing the duty on tea, coffee, molasses, &c. The *expediency* of the proceeding may have been questioned *until* the debt was paid off, that being, in the new fashion of the times, the *ne plus ultra* of good government; and yet, as much was paid before, as since, the new order of things, unless the treasury documents are untrue. Perhaps—it may be possible, that in the "&c." the writer meant to include "salt," for that word is inserted in the essay before me. I was "unqualifiedly" oppposed to so great and rapid a reduction of that duty. Salt was at a low price all over the country—"low enough," about 45 cents a bushel, perhaps, on an average of the whole United States. Because of the want of a home-supply, I have paid *six dollars* for a bushel of salt—an advance in price, sufficient, in *one* year, to pay all the *duties* required for the article consumed in my family in *twenty*. *John Bull* placed this imposition upon me; and "John Bull" may do it again, if we should happen to displease him, the domestic manufacture being destroyed. My leading wish is to be *independent* of all nations—to render my country such, that, though "surrounded by a wall of brass a thousand feet high," it may have, within itself, all the necessaries and comforts of life.

The duty on salt, like that on coffee and tea, was levied for *revenue*—12 cents per bushel, by the act of 1790—and 20 cents, by that of 1816. The home manufacture was not regarded, in either. But the high price of the article during the war, and the increased duty of 1816, caused a large capital—several millions of dollars, to be embarked in its manufacture. It was supposed that the national legislature, having the means in its own power, would never again suffer *Great Britain* to compel the people of the United States to pay *six dollars a bushel for salt*—salt being almost as important to an army, and quite as much so to a navy, as gun-powder, itself, to the national defence.

But I had another, and perhaps yet stronger objection to the reduced duty on salt. I regarded it as a part of an *iniquitous* and *mean* "system" to break down the whole scheme of protection—for it has been proclaimed, on high authority, that the tariff is to be destroyed, in detail—*by detaching its friends!* If so, let those interested look to it! The common distress of the free laboring people of the United States, will cause a rallying of power that will trample their enemies into the dust. The grain growers will not suffer the destruction of their market. They are the "salt" of the republic.

If the proceeds of the duties on coffee and tea were not needed, they ought to have been reduced, or abandoned altogether, as we have supposed that they would be, at a future day; and that on molasses should not be high—rendering no essential service to the sugar planters. But, and if the lessened impost on the articles named shall reduce the revenue three millions—considerably more than two millions will remain in the pockets of the people of the tariff states! More coffee, tea and molasses are consumed in a northern manufacturing village containing 100 of the *people* of the United States, than in a cotton-growing district containing 2,000 *persons*. "The pistol has missed fire!" If more revenue shall be required, the *people* of the first named states will prefer *direct taxation*, which bears upon the *persons* as well as the "people" of the United States. Taxation and representation should always go together. No honest man will deny this.

It was *not* to answer the article in the "Hartford Times" that I prepared this article. Other objects were in view. And as to that paper, until its *manners* are mended, no correspondence or communication will be had with it, after the present number of the "*Register*."

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†In early youth, I made up my mind that direct taxation should be chiefly relied on in a republican government—that the people, knowing and feeling what they paid, would carefully look into the expenditure of their money. A certain amount of revenue must be raised—and I prefer an open demand for my money, to a sneaking of it from my pocket. The system of indirect taxation is always partial, never just; and originated, as a French philosopher observed many years ago, in the baseness of kings—that the people might not know what they paid into the *royal* treasuries. It is in vain to urge this "system" on the United States. Such is the state of society, that if a person were compelled to pay an honest tax-gatherer the same amount, annually, that he stupidly pays to the store-keeper, he would believe himself among the most aggrieved persons in the world! We think nothing of paying *twenty-four* millions indirectly; but were *six* millions required directly, what a fuss would be made! WE LOVE TO BE CHEATED.

‡The customs produced 36,800,000 dollars in 1816, and 26,200,000 in 1817—together 63 millions; and 15,000,000 in 1820, and 13,000,000 in 1821—together 28 millions, a difference 35 millions! These things happened before the "abominable tariff" laws were enacted. The deficiency was because the people could not purchase and pay for foreign articles. Property seemed without price, and bankruptcy and ruin were spread over the face of the land. This general distress, however, at last, *forced* the tariff law of 1824. Were the act of 1828 repealed, I have no manner of doubt that the revenue derived from imposts would soon settle down to a sum hardly equal to the ordinary expenses of government, because of the inability of the people to purchase taxed commodities.

PRICE OF WOOL, AT BOSTON, *Feb.* 12. Prime Saxony 65 to 75; American full blood, washed, 60 to 70; three-fourth blood 52 to 58; half-blood 48 to 50; common 42 to 46; Smyrna and Adrianople, fine, washed, 35 to 38.

"CONTEMPT OF COURT." The following is a copy of the bill introduced into the house of representatives by Mr. Buchanan, from the judiciary committee, on the subject.

"*Be it enacted*, &c. That the power of the several courts of the United States to issue attachments and inflict summary punishments for contempt of court, shall not be construed to extend to any cases, except the misbehaviour of any person or persons in the presence of the said courts, or so near thereto as to obstruct the administration of justice; the misbehaviour of any of the officers of the said courts, in their official transactions; and the disobedience or resistance by any officer of the said courts, party, juror, witness, or other person or persons, to any lawful writ, process, order, rule, decree, or command of the said courts."

ARMED INTERFERENCE. The Antigua "Free Press" contains a correspondence, derived from Jamaica papers, between the foreign merchants at Rio Hache and capt. Clement, of the British frigate Shannon. Capt. C. followed the expedition against Rio Hache, and arrived a few hours after the vessels dropped anchor. When the attack was begun, capt. C. went on board an English schooner, and stood close in, and on Valdez' troops getting possession, immediately landed, and demanded protection of the lives and property of the foreigners of every nation, except those of Spain, in whose behalf he declined to interfere. Gen. Valdez, who was for the moment flushed with victory, asked capt. C. "how he could protect any particular interest during a *storm*, by soldiers who deserved victory, and the fruits of it?" Capt. C. replied, "*general, if you do not protect the rights of those for whom I require it, I shall;* and I hold you responsible to your own government, as well as to mine, for the consequences, as I shall not be trifled with." The storming general became as pacific as a lamb, and immediately placed guards for the protection of the property wherever capt. C. required it.

☞This proceeding was, probably, right in itself—but what would general *Ross* have said, when engaged in the plunder and conflagration of Washington, if a French or Russian officer had so addressed him?

BRITISH WEST INDIES. The annexed statement is made to exhibit the practical operation of the colonial tariff, as proposed to be regulated by parliament; it is copied from Burritt & Clayton's New York Prices Current.

The following estimates will serve to show, in part, the practical operations of the above proposed act, viz:

A vessel of 100 tons burthen proceeding from the United States to a British West India port, will carry about 1,000 bbls. of flour, which pays an average duty of	$1,330
The same cargo from Canada, New Brunswick, or Nova Scotia, pay nothing.	
A vessel of the same size will carry about 350,000 of 22 inch shingles, which pay an aggregate of	1,631
The same from Canada, New Brunswick, or Nova Scotia, pay nothing.	
The same vessel will carry about 60,000 staves, which pay	240
The same from Canada, New Brunswick, or Nova Scotia, pay nothing.	
The same vessel will carry 60,000 feet of lumber, and pay	420
The same from Canada, New Brunswick, or Nova Scotia, pay nothing.	

SITUATION OF ENGLAND. We gave in our last a collection of articles to shew the condition of this oppressed and distressed country. It appears, from examinations of rioters at Winchester, that some of the *farmers* had been pushing forward the tenantry and laboring poor, to acts of violence, and even to the murder of the clergy, who will not consent to a reduction of their tythes! "To this complexion it must come at last," unless extensive *reformations* are speedily made.

MASSACHUSETTS. An attempt, to amend the constitution of this state has failed in the house of representatives—for it, 273, against it 146; wanting 7 votes of two-thirds of the members present.

VERMONT. A fourth trial to elect a member of congress for the 4th district has been had. The Woodstock Observer says—There is again *no choice*. The returns from all the towns in the district, except nine, give the following result:

Benjamin F. Bailey,..	2,530
Benjamin Swift,.....	2,523
Heman Allen,.....	1,951

At the former trial, the entire vote of the district, stood, for Swift, 2,227—Allen, 2,169—Bailey, 1,869. It appears by the above, that in the towns already heard from, Mr. Bailey's increase is 661—Mr. Swift's, 296—and Mr. Allen has lost 218.

THE CHOCTAW TREATY, which has been for some time before the senate, was yesterday ratified by that body, ayes 35, nays 12. The injunction of secrecy was removed from the proceedings on the treaty, and if, on examination, they shall appear to possess sufficient interest, we will lay them before our readers.

[*Nat. Int.*

CHANNEL OF THE MISSISSIPPI. By the Brandywine, (steam-boat) arrived yesterday, we have the confirmation of a long expected cut-off in this river. At the well known curve opposite the mouth of Red River, the current burst across the neck of land by the aid of capt. Shreve, and has made a channel four hundred yards wide and about four fathoms deep already. Flat boats and rafts have descended through it with tremendous velocity—and the Brandywine would have done the same but for business on the other route. The distance between this and Natchez is thus shortened about thirty miles by one small cut-off—and should the same thing occur at the Tunica bend, (which is extremely probable), the distance will be lessened one hundred miles!

We learn by the Brandywine that the Ohio is frozen as low down as the Cumberland, from whence she came.

[*New Orleans Bee.*

UNITED STATES BANK. The Charleston Courier states that the court of appeals of South Carolina, have decided unanimously in favor of the constitutionality of the act of the last session of the legislature, imposing a tax of one per cent on the dividends on the bank of the United States. [More "*nullification.*"]

M. SERRURIER, the newly appointed French minister to the United States, says the New York American, arrived here with his family in the Henry IV. We do not hear that M. *Lasteyrie*, the grandson of Lafayette, who it was said would be attached to this mission, accompanies it. M. *Serrurier* was the French minister to this country, of the empire, and of the restoration. The feeling manifested by him in favor of Napoleon during the interlude of the 100 days, led, as was supposed, to his recall.

EMIGRANTS. A letter from London, after stating that the jails and poor houses of England were overflowing with the starving poor and the profligate, says:—

"Next spring will inundate the United States with emigrants. Government will find exporting half starved rioters more expensive than sending them to Canada. Every convict sent to Botany Bay, costs 80 pounds. That sum would pay the passage of five persons to Canada, and support them fifteen months."

[This is a comfortable prospect! The honest people of Baltimore will, probably, have to maintain at least one hundred of these miserable beings—for the support of England's "state and church." Our alms-house and penitentiary are over-loaded with foreigners, cast upon our shores. England will not allow a "return of such compliments," nor should we accept the sweepings of her poor houses and jails.]

"THE GLOBE." This paper recently established at Washington, sometimes lectures congress as if it had "authority." The following contains a pretty severe reproof of *certain* of the southern members.

"Some gentlemen of the south who have been building up a pre-eminence upon their exclusive devotion to that section, and who attempt, by inflammatory harangues in congress, to excite their constituents, while at the same time they make demands so extravagant,

and upon principles so absurd, that they know cannot be admitted, are contributing most effectually to the purpose of Mr. Clay. Although hostile to each other, these politicians have a common design. It is self-aggrandizement. An overstrained tariff is equally essential to the importance of Mr. Clay and the nullifiers.—Mr. Clay will not therefore abate an item of his American System, nor would the southern ultras, *we* imagine, be satisfied with the repeal of the whole revenue system, unless accompanied with the concession of the right of nullification—a right which is to enable certain great men, who, like Cæsar, would rather reign in a village than be second in Rome, to rule a section, if they cannot rule the whole union. We should not be astonished if a common interest in a *tariff excitement*, should bring *the ultra politicians*, who advocate the opposite extremes of the question, to act together, however widely they may differ theoretically. *It is an old saying, that extremes come together.*"

LATE FOREIGN NEWS.

Several packets have arrived at New York bringing late Paris and London papers—the latter to the 13th January.

GREAT BRITAIN AND IRELAND.

The incendiaries are as busy as ever, and other acts of violence abound. There has been a great turn-out of the colliers. The people, more and more distressed, and partly, perhaps, because of their own conduct, seem to become more and more reckless The revenue of last year, as compared with that of 1829, shews a deficiency of 640,450 pounds. A part of this has been caused by the repeal of the duties on beer and leather.

Ireland is greatly agitated. An English paper says that the present state of affairs cannot last. "The government must put down the agitation, or the agitation will put down the government."

FRANCE.

It is strongly reported that the duke de Nemours, second son of the king of the French, is to marry Donna Maria, queen of Portugal.

Count Pozzo di Borgo has received his credentials as ambassador from his majesty the emperor of all the Russias to his majesty the king of the French; who has appointed the duke de Mortemart ambassador extraordinary to his majesty the emperor of all the Russias, and has intrusted him with a special mission. This nomination does not revoke that of the marshal duke de Treviso.

We have a copy of the patriotic address of gen. Lafayette, when retiring from the command of the national guards.

Lord Granville has taken the place of lord Stuart, as envoy extraordinary, &c. at Paris.

The French at Algiers remain as they were. All seemed quiet.

France appears very tranquil—but is making great preparations for the worst that may happen. The military is well organized, and there is a very strict police.

HOLLAND.

London, Jan. 6.—The king of Holland is said to have at last yielded to the remonstrances of the powers, and agreed to recognise the independence of Belgium. The final settlement of all differences was anxiously looked to, and shortly expected by the Belgians.

We understand that the king of Holland has given an order for 300 pieces of cannon to the Colebrook-dale foundry. The price is said to be £60 for each cannon. His majesty has also ordered in England 400,000 yards of woollen cloth.

BELGIUM.

Many negotiations are going on, as to the future condition of this country. It seems very likely that a son of the king of Bavaria will become its constitutional sovereign. It is most probable that all the differences between Belgium and Holland will be adjusted, without much further bloodshed, through the agency of the five great powers. Some skirmishing yet existed between the Belgians and the Dutch; and the latter were collecting troops on the frontier.

SWITZERLAND.

The Swiss diet have published a declaration in the name of the 22 confederated cantons, 'that in the event of a war breaking out among the neighboring powers, it has resolved to maintain the strictest neutrality.' Also a declaration as follows:

'The diet unanimously perpetuates the principle, that each state of the confederation, by virtue of its sovereign right, is at liberty to make any changes in its own constitution which may be deemed necessary or useful, so long as they are not contrary to the federal convention. In pursuance thereof, the diet will interfere in no manner with the reforms already made, or those hereafter to be made, in the constitutions.'

This country is much agitated. A Paris paper of Jan. 12, says—"The councils of Basle, finding that they were not sure of the inhabitants or of the disposition of the troops, have sent to the peasants assembled, it is said, at Liestal, to the number of 8,000 or 10,000, a deputation to announce to them that the concessions required shall be granted. A circumstance too remarkable to be passed over in silence is, that the peasants have at their head officers who belonged to the guard of the ex king Charles X. The artillerymen of Basle have declared that they would not fire on their fellow citizens of the country."

POLAND.

We have a large mass of matter concerning the affairs of Poland. Gen. Chlopicki, who had so honorably kept his word and resigned the dictatorship, has been reinstated by the diet of Warsaw in his important functions. He has refused the pension of 200,000 florins.

Warsaw, Dec. 25.—The inhabitants of the circle of Random had a meeting on the 10th. They subscribed liberally, and have announced their intention of raising a regiment of cavalry.

Cornelius Syko, an old Polish officer, now prior of the Carmelites, is working at the fortifications of Praga, with all his monks.

The actual abode of Vincent Krasinski is not known: but it is announced that his son Sigismond, who is now in Russia, will shortly arrive here, to raise a regiment at his own expense, and that he will enroll himself in it as a private soldier.

Lieut. col. Geritz, a descendant of William Tell, forms a division of sharpshooters, which he calls his 'infernal troop.'

It is said that the Poles of the provinces of ancient Poland, who are residing in Paris, are to place at the disposal of the Polish government considerable sums of money, and that countess Tyschkiewitz, sister of the late Poniatowski, has distinguished herself by a large subscription.

There has appeared under the title of 'The Great Week of the Polonnaise,' a succinct recital of the Polish revolution.

The bishops of Warsaw, Prazmouski, and Manugiewiez, have given up for the service of their country, 70,000 florins of their actual revenues, viz. two-thirds.

Extract of a private letter from Warsaw, dated Dec. 27:—"The palatinate of Lublin, Russian Poland, has just offered the government 50,000 men. Count Zamousky is equipping a regiment at his own expense.—There are in the army 12,000 soldiers who served under Napoleon, and 300 officers decorated with the legion of honor. The 24th regiment of the line which acted on the first day, has set out for the frontiers.—Previous to their departure, they requested their colonel to take them to the fortifications now erecting by the citizens. On their arrival there they formed a square. The soldiers then knelt down and swore that they would not fire again, but would attack the Russians with the bayonet only, and be killed sooner than surrender.—The 1st regiment of Lancers, a fine troop, has marched. The enthusiasm is at the highest pitch, and exceeds all imagination."

December 30. Four officers of the Lithuanian corps escaped and have arrived here. They state that it will be impossible for the Russians to compel that corps to go against the Poles, and it is expected they will be marched into the interior of Russia. We are ready with 60,000 excellent troops, and 10,000 cavalry. We have also 10,000 irregular cavalry, and 100,000 militia, but these last require to be armed with muskets, and every day there are new volunteer corps formed. The

war of extermination which is preparing will cause torrents of blood to flow; but we can state, without fear, that Poland will not be subdued.

December 31. "One of the pupils of the military school, named Zallwaki, had set out several days ago for Lithuania. All these provinces are on a volcano.—We expect with impatience the details of the insurrection at Wilna. 3,000 Russians have perished there; but after three days triumph the Muscovites re-occupied it. All the youth of the university and the citizens, still full of the recollections of the revolution effected in 1794, by the celebrated Jasinski, emulated each other in zeal, we are informed, in this memorable action.

"Patriotic gifts flow in from all quarters, and the amount is already near 3,000,000. The Jews alone have given above 1,000,000. Their enthusiasm is above all praise. Since the war with Turkey, Russia is very weak. It lost there in two campaigns 200,000 men and 20,000 horses. The treasury is empty; the ammunition and stores intended against France had been collected in the fortresses of Modlin and Zamose, which are now in the hands of the Poles. These are sufficient for three campaigns. Our artillery is excellent, and it is well known that it was our officers who repaired the faults of the Russian officers at the siege of Varna and Shumla. The manufacture of arms is carried on with extraordinary activity. All the men employed sing, while they are at work, the celebrated *Mazurka*, of Lombrowski. Every where are seen the portraits of Kosciusko, Poniatowski, and so many other generals, whose memory was proscribed by the brutal despotism of the grand duke Constantine."

The preceding extracts are sufficient to present a general view of the state of things. Poland is filled with enthusiasm. The fermentation had extended to the grand duchy of Posen (Prussian Poland), but all was yet quiet there.

The emperor of Russia has issued a proclamation and manifesto. The London Times of the 13th January, says—All doubt or conjecture as to the course which the emperor of Russia intends to pursue respecting Poland is now at an end. The autocrat has issued a manifesto which leaves the Poles no alternative but unconditional submission, or military execution. The *hurra* of vengeance which he uttered among his warlike nobility when he first received the intelligence of the insurrection at Warsaw, is now resounded through the empire, and it echoed by the people as it was by the court, may be considered as the prelude to an exterminating Polish invasion.

Though prepared for a declaration of war against Poland, probably neither the Poles themselves, nor any other European nation, were prepared for the assertion of such arrogant pretensions, or the employment of such sanguinary menaces, as his document contains. The "rebels" are spoken of as "struck with the fear of approaching chastisement, yet daring to think of victory for some moments, and to propose conditions to their legitimate masters." These "traitors are to be put down in a single decisive battle, and their treason is to be punished." When any autocrat, from Czar Peter down to Czar Nicholas, appeals to GOD as the defender of the legitimate cause, and denounces the punishment of treason, there is no doubt that hypocrisy is to be the cover to every excess of violence and atrocity.

The cruel derision of demanding gratitude from the Poles for such "peace and prosperity" as they enjoyed under the despotism of the grand duke Constantine, adds unbearable insult to those manifold oppressions which provoked and justified the insurrection.

The Poles now are aware of their situation. They may recall their envoys from St. Peterburgh—if they are not already returned. The answer is given in this manifesto. The conditions which they are said to propose to "their legitimate masters" are already rejected with indignation. Let them issue a counter-manifesto. Let them display their wounds and sufferings to Europe. Let them invoke assistance from every generous arm—sympathy from every patriotic heart. France and Belgium have taught them the barricades: let their cities be defended with equal heroism. Above all, let them arm their whole population, and invite all the Polish nation to join them; and then we may look forward to the shock with some confidence in the success of the cause. [*Times.*

The manifesto of Russia seems to have provoked one general burst of indignation in England, because of the high-handed measures which it threatens. But it does not appear that England or France will interfere in the affairs of Poland, at present. The best understanding appears to exist between these latter powers.

The Russian armies intended to enter Poland, will amount to 150,000 men.

SPAIN.

Some arrests because of political opinions, have lately been made in Spain. All things are dark and gloomy in this country, and misery abounds. The expenses of the king alone, for the year, 1830, have been computed at 140,000,000 reals, (upwards of £1,400,000 sterling), up to the present moment. To cover this enormous expenditure the most grievous taxation is resorted to.

AUSTRIA.

The accounts from Vienna of 22d inst., says a Frankfort date of Dec. 27th, are extremely curious. Austria is arming on all sides. The troops which have long been in Italy, and those which have lately been sent thither, will remain as a corps of observation; but all the other forces of the empire, and those of Hungary which can be spared, are going to assemble in Gallicia and the other provinces on the frontiers of Poland. By this means it is intended, at the same time, to awe the Poles, and to repress the fermentation which has manifested itself at Lemberg, and in other provinces formerly Polish.

PERSIA.

Persia is delivered up to a horrid civil war. The eldest son of the Schah has revolted, and marched against his father. Prince Abbas Mirza has hastened to his father's assistance, and to encounter his brother. A great part of his army has been organised and instructed according to European tactics. The people of Caucasus, habitually disinclined to submit to Russia, have raised the standard of revolt in a great number of the outlets of the Black and Caspian seas. A detachment of the Russian army has been attacked on the road of Tiflis, and deprived of 2 pieces of cannon. The marshal Paschewitz d' Erivan is ordered to employ a considerable force to put down and punish these insurgents.

MEXICO.

We have accounts of a battle fought at Cilponcingo between the government forces and the partizans of Guerrero, &c. The latter were defeated, with the loss of 300 killed, and about 150 prisoners. The other party had about 100 killed and wounded. Another battle was fought in the "state of Michoacan," where the insurgents under Codallos were defeated with considerable loss. Gen. Bravo, the present chief of the government, commanded at Cilponcingo. A restoration of tranquility was expected—to endure until some general shall feel himself strong enough to disturb it.

BUENOS AYRES.

A new plan of federation has been proposed. The state of the country is unsettled, and military movements are often spoken of.

COLOMBIA.

The new constitution for *Venezuela* has been established. The archbishop of Caracecas refused to take the oath required, and was expelled from the country.—Gen. Paez is at the head of the army, but held subject to the civil authorities.

LATER FROM EUROPE.

A packet ship at New York brings Paris papers of the 19th Jan. We have ourselves received files of Galignani's Messenger to the 18th, inclusive.

The king of Holland refusing to raise the blockade of the Scheldt, and partial hostilities being commenced by the Belgians, another protocol has been agreed upon by the ministers of the five allied powers. We have not time or room to give the substance of it. On being submitted to the Belgian congress, it seems to have been then resolved that, until the Dutch relieved the blockade of the Scheldt, the Belgic troops should not be withdrawn from Maestricht—which they had invested. The king also seems unwilling to admit the inter-

vention of the allied powers—and the prospect now is, that the Dutch and Belgians *will fight it out*, both making all possible preparations for battle. The king seemed to rely on help from Russia. If that is afforded, there must be a general war.

The Belgians greatly desire to obtain a king. They much wished the second son of the king of the French, but he had declined the honor.

It is said to be the belief of the French ministers that *war is inevitable*. France is fully prepared for it, under the administration of marshal Soult.—150,000 troops were to be stationed on the borders towards the Rhine.

There are some later accounts from Poland—they mainly go to shew the devotion of her gallant inhabitants, and the great preparations that are making to resist the Russians. It is said that they would soon have 150,000 men fully equipped, and 200,000 irregulars, armed with pikes and pistols, &c.

The Portuguese patriots were collecting in force at Terceira, to make a descent on Portugal. More than 8,000 men had already assembled.

The affairs between France and Spain appear rather unfriendly. Much alarm existed in the latter because of the discovery of conspiracies among the students at Toledo, Alcala, Madrid, &c.

Basle, in Switzerland, was besieged by the country people—the burgers had 10,000 armed men within the ramparts. Some fighting had taken place. The people were also expected to attack Berne.

Some disturbances had broken out in Hanover—and there was a popular tumult at Gottingen.

A new pope had not yet been chosen at Rome—43 cardinals had assembled there.

INTERESTING ITEMS.

The Siamese twins are said to have realized an immense fortune in England. It is reported they will return to the United States.

Railway. The receipts of the first *nine* weeks of the railway, between Liverpool and Manchester, for *passengers alone*, was upwards of £18,000.

Skating. A party of gentlemen lately travelled on skates from Philadelphia to Bristol, in 1h. 40m. The distance made by them was estimated at 25 miles.

Relief! A new commonwealth's bank, in partnership with private stockholders, is projected in Kentucky! Have not the people of this state had sufficient *experience* of the banking business?

The penitentiary. A man lately applied to a magistrate of New York, for commitment to the penitentiary, from which he had just been discharged—saying that if he could obtain employment, he should waste his earnings in intemperance, &c. An order for his committal for 60 days was made out, and himself appointed the bearer of it.

Counterfeiters. Two persons, calling themselves David and James Brown, have been arrested at New Orleans, charged with having circulated counterfeit notes of the bank of the United States. There was found upon them about 9,000 dollars, in good money, the fruits, perhaps, of their depredations; and counterfeit notes for more than forty thousand dollars! The latter are said to be well executed—almost the only difference being in the paper. The bank of the United States ought, and no doubt will, make some powerful efforts to prevent such frauds on the public. These two, it seems are only a part of a gang of seven, who had counterfeit bills for more than ninety thousand dollars!

Gold. There is a report that *fifteen thousand pennyweights of gold*, were obtained in two days from two or three bushels of ore, at Harris' mine, in Charlotte county, North Carolina!—that the vein was near the surface, and, because of its wonderful richness, carefully guarded. If this report is true—we shall hear more of it.

Church burnt. The 7th Presbyterian church in New York, was destroyed by fire on the night of the 15th inst. It was nearly new, and had cost $18,000.

Rowland Stevenson. A meeting of the creditors of the firm of which this individual was a partner, was held recently in London for the purpose of declaring a dividend. The grand total of debts proved, amounted to £508,696, and it was expected that the estate would yield about 11 shillings in the pound. It was stated that the last private accounts left Stephenson in possession, apparently of much property.

Amelia Opie is at Paris, and a constant visitor at the 'soirees' of gen. Lafayette, where this celebrated female always appears in the simple garb of a rigid Quakeress, forming a striking contrast to the gay attire of the Parisian ladies.

Large cargo. The ship Equator, for Liverpool, laden at Charleston, has under deck a cargo of 1,932 bales of cotton, nearly half of which are Sea Islands, amounting to 6,147,691 lbs. valued at $86,654 80 cts.—Her measurement is 308 tons.

RESIGNATION OF LAFAYETTE.

The sitting of the chamber of deputies on the 27th December was numerously attended in consequence of the extraordinary degree of interest excited by recent occurrences. The chamber were proceeding to the discussion of the law relative to the national guard, when Lafayette entered, and was received with universal applause, upwards of one hundred members going up to him and shaking his hand. The general then went to the president, and after a short conversation with him, addressed the chamber as follows:

"In a neighboring nation it is the custom when a citizen retires from a distinguished office, for him to come before his fellow-citizens and explain the cause, and I am sure the chamber will grant me the same favor. I have always considered that the post of commander-in-chief of the national guards of France was incompatible with a constitutional monarchy, except under circumstances of the most absolute necessity. It was this conviction that led me, in 1790, when 3,000,000 of national guards wished to elect me their commander at the federation by 14,000 deputies, to apply to the constituent assembly, and urge them to issue a decree in opposition to this desire. Such still was my opinion when the lieutenant-general of the kingdom, who has since become our king, wished me to accept the same appointment, and I felt myself bound to accept it, but always retaining the intention of laying it down, as soon as I was satisfied that it was no longer necessary for me to retain it, earlier if peace remained unbroken, but at a later period had war ensued. The declared opinion of the chamber has hastened the period, and out of respect for it, I have not waited till the law was submitted to the other branches of the state. It is merely a matter of date; but I should be deeply hurt if any one imagined—and no one, who has been acquainted with me during the last fifty-four years of my life, can believe—that my conduct has been dictated by any personal feeling. I will go further, and say, that this opinion of the chamber has afforded me an opportunity. The high authority with which I was invested has given umbrage which you, gentlemen, must have heard of; and this umbrage has even been felt in certain diplomatic circles. The cause is now at an end, and I have no other honor than that of being one of your colleagues. One word more, gentlemen, I should not have given in my resignation, which the king has accepted with all that goodness he has ever shown towards me, before the crisis we have now happily got over was at an end. At this time my conscientious love of public order is satisfied, but I cannot say the same of my conscientious love of liberty. We must all recollect the programme announced at the Hotel de Ville—a popular throne, supported by republican institutions. It was accepted, but we have not all put the same construction upon it; it has not always been interpreted by the councils of the king, in the same sense in which it was understood by me, who am more impatient than others that it should be realized; and whatever may have been my personal independence in all situations, I feel myself at the present moment more at my ease in discussing my opinions with you. For the rest, there are points upon which we shall always be in accord, we shall ever be united against our enemies, whether at home or from abroad. I still think, that in the measures taken in the revolution of July, we not only did that which we verily believed was for the best, but that we did all that was possible to be done. I am the more convinced of this, since I have become intimately acquainted with the

personage we have placed on the throne. On throwing off my uniform, I have not changed my motto, "Liberty, Public Order." Besides, how many legal means we have of expressing our thoughts, and making our wishes known; for there is the tribune of this chamber, and for every citizen there is the press, which has rendered the country so many services; and then there is the peaceable mode of petitions. Having thus yielded to my desire of laying all my sentiments before you, I trust I shall still and ever retain your esteem and friendship."

INTERNAL IMPROVEMENT.

In the following answer of the postmaster general to a resolution introduced into the house of representatives of the United States, by Mr. *Leiper*, we have a palpable argument in favor of the exercise of the power of internal improvement, for which we have always contended, by the general government. No one, we presume, will venture to deny to the government the power to *transport* the mail. Does not the power to *facilitate* its transportation necessarily result? And if a link of road, of the highest importance in a national view, as the post-road from Philadelphia to Baltimore undoubtedly is, though of comparatively small importance as a state road, be so defective as to be next to impassable, can any one deny the power of the government, by the agency of the post office department, if you please, to remedy the evil? We are obliged to Mr. *Leiper* for having extracted this letter from a member of the cabinet, whose admissions we have a right to lay hold of.—*Nat. Int.*

Letter from the postmaster general, in reply to a resolution of the house of representatives, upon the subject of the causes of the irregularity of the arrival of the eastern mail.

Post office department, February 10, 1831.

SIR: In obedience to a resolution of the house of representatives, requesting the postmaster general to "communicate to the house the causes of the irregularity of the arrival of the eastern mail, to what the failure is attributable, and what remedy can be provided to prevent the delay," I have the honor to state, that the recent snow storm so obstructed the roads, as to render them, in some instances, wholly impassable; and nothing but the unwearied and almost unexampled exertions of efficient and enterprising contractors, in the midst of the tempest, could have procured a passage for the mail through the immense drifts of snow, which are represented to have been, in many places, from five to twenty feet in height. This impediment, it is presumed, will not be of frequent occurrence; yet it is anticipated that the melting of the snow, especially if attended with rain, will so swell some of the streams on the route as to cause a few more failures. I am further advised, that this mail is occasionally retarded in its progress by the rise of water and floating of ice in the Susquehannah river, and the condition of about forty-four miles of the road between Philadelphia and Baltimore, which, like most other roads not *turnpiked*, is rendered bad by rain, &c. The only "remedy" which, it is conceived, "can be provided to prevent the delay, is to obviate the difficulty in crossing the streams, and *turnpike* that part of the road to which allusion has been made.*

I have the honor to be, respectfully, your obedient servant,

W. T. BARRY.

Hon. Andrew Stevenson, speaker of the house of rep.

*The people of Maryland, so far as they are concerned, will *never* improve this road, so as to make it fitted for the transportation of the mail, during the winter season. Their own uses for the road, will not justify so great an expense. At a high rate of toll, it would hardly yield the half of one per cent. on the capital required, being needed for only a small part of the population, and "good enough," except for two or three months in the year. A new route must be selected, and new road made, or the mails remain subject to the failures so much complained of—if there is not constitutional power and congressional willingness to "turnpike" and *bridge*, the present road." To this complexion have we arrived.—ED. REG.

LEGISLATURE OF VIRGINIA.

Mr. James Barbour's seat in the legislature of Virginia being again contested, it appeared to the committee that he had not obtained a majority of the legal votes, and he promptly retired, as he said that he would do. His valedictory, delivered on the 16th inst. was in the following beautiful terms:

Mr. *Speaker*—From the moment I engaged in the most unpleasant contest in which I have been so unfortunately involved, I declared to this house and to the world, that when I ascertained that I had not the majority of the good people of Orange in my favor, I would instantly vacate my seat. The committee of privileges and elections, after a most laborious investigation, have, in their sitting of to-day, pronounced that the majority is against me. It is in vain now, to complain of the unequal contest in which I have been engaged as to collecting testimony—my opponent on the theatre of controversy, and rendered expert by his experience in this long contest, and I in my seat in this house. It is due, however, to my friends, to whom I owe an inextinguishable debt of gratitude, to say—that they did for me all that they could do—and although I believe I might reverse in this house many of the decisions pronounced against me by the committee, yet as the general result would still be against me, I have determined to save the committee the labor of digesting and reporting on several hundred depositions, and also to relieve the house from discussing and deciding against them—Orange having already consumed its full share of the time of this house—and hence I rise to announce to the house, that I surrender my seat, and thus redeem the pledge I gave, to yield to the will of the majority, whenever it should be ascertained.

Can an old servant of the commonwealth claim of the house the indulgence of being permitted to make a few valedictory remarks?—Some thirty-two years past, I began my political life in this hall—here, this day, it terminates. In the long interval, I received many distinguished proofs of the kindness and confidence of this house—by it I was called to fill offices of great responsibility, both in peace and in war. Without now trespassing on the time of the house, by reviewing the manner in which I have performed these trusts, which I had designed to have done, if a proper occasion had occurred, I content myself by saying, that at least my intentions were good, and of the millions of public money I have disbursed, my hands are clean. That I have often erred, is highly probable—for to err is human—but if bitterness of party rancour should charge these errors to the heart rather than to the head, I appeal from this unjust and cruel decision, to a tribunal, before which, in the course of nature I must shortly appear, and where the secrets of all hearts are known. From the liberal and the just, I apprehend no such charge—they will look to the volume of my whole life, and if they find the general scope to be well designed, instead of dwelling with malignant pleasure on the errors which they may find scattered here and there, like the kind recording Angel above, they will drop on them the tear of oblivion, and blot out their remembrance forever. I have but one favor now to ask of mankind, and that is, if a name as humble as mine and the part I have performed, should be the subject of comment, that if they nothing extenuate, they will set down nought in malice. When I first entered this house, it was in the spring time of hope—an ardent imagination, not yet restrained by sad realities, carried me beyond the boundary which separated the present from the future; and I saw, or thought I saw, peace and liberty and union, and in their train, the prosperity and glory of my country: but time and experience have cleared many of these illusions—I now see uncharitableness, proscription for opinion's sake, and intestine faction—and now hear menaces of violence and of disunion, and they fall harshly on my ear; but I will not yet despair, I will not believe that the mighty power that worked out for this people so signal a deliverance, will suffer the great scheme of human liberty and happiness confided to us to pass away like the baseless fabrick of a vision, leaving not a wreck behind. I will still confide in the virtue and intelligence of the people—that they will equal the measure assigned them, and that we shall continue to be a shining example to

the nations of the earth—but if, in the inscrutable order of Providence, our country is to be visited with calamity, my prayer will be, that this ancient commonwealth, the common mother of us all, may be the last to feel the blight of desolation, and that in this house, with which I associate so many grateful recollections, till the fiat of its dissolution shall go forth, the altars of liberty may continue to smoke with the purest incense. In obedience to the decree of ostracism, which has been pronounced against me for opinion's sake, with what justice all trying time must decide, I am going to retire to my native mountains, which voluntarily I will never again leave, but from which I shall look intently on the current of public affairs, and if a crisis should arise that shall require of every patriot to do or die, if the grave has not closed upon me, I trust I shall be as prompt in the defence of all we hold dear as many who now claim to be exclusive patriots.

As it is the last time I shall see the multitude on which my eyes now rest, except, as I hope, in that other and better world, "where the wicked cease from troubling and the weary are at rest," and having given offence to none during my sojourn among you, for none was intended, and trusting that you entertain for me no other feelings but those of friendship, I tender to you and to every member of the house, a long and an affectionate farewell.

Mr. Morris, (chairman of the committee of privileges and elections) expressed the sense he felt of the gallant and honorable bearing of the gentleman from Orange, and the obligations personal to himself, from the redemption of a pledge which had relieved him and the committee from much labor.

Mr. Morris then moved a resolution, declaring Mr. Davis entitled and that he be admitted to his seat—which was adopted.

TWENTY-FIRST CONGRESS—2d SESSION.

SENATE.

February 16. Among the petitions presented this day, were two from the merchants and others of Philadelphia—the first praying that vessels navigating the Delaware river and Chesapeake bay, and their tributaries may be required to display lights—and the other the removal of obstructions in Back Creek—[the western entrance of the Chesapeake and Delaware canal.]

Mr. *Sprague* presented the memorial of certain inhabitants of Wiscasset and Chesterville, in Maine, praying for the protection of the rights and privileges of the Indians.

In presenting it, Mr. *Sprague* asked of the chairman of the committee on Indian affairs, whether it was the intention of that committee to make a report on the subject at the present session.

Mr. *White*, (the chairman of that committee) replied that the committee had not yet come to any determination on the subject. He could not, therefore inform the gentleman whether the committee would or would not make a report.

Mr. *Sprague* then said that he should move that the memorial lie on the table. The motion prevailed.

Mr. *Dickerson*, from the committee on manufactures, to which was referred the bill to reduce and fix the duties on sugars imported into the United States, made a special report, and stated that, when the bill came up, he was instructed to move its indefinite postponement.

On motion of Mr. *Foot*, the senate then took up the following resolution:

"*Resolved*, That a committee, to consist of three members, be appointed, to prepare, and report, at the next session, a system of civil and criminal law for the District of Columbia, and for the organization of the courts therein."

On this resolution a debate took place, which lasted until near three o'clock, in which Messrs. *Livingston*, *Chambers*, *Webster*, *Foot*, *Forsyth*, *Hayne*, *Bibb*, and *Noble*, took part.

After so long a discussion, the debate was arrested by Mr. *Foot*, who read a paragraph from Jefferson's Manual, to show that, after an adjournment of congress, no committee could sit in the recess, the two bodies being dissolved. He moved to lay the resolution on the table; which motion prevailed.

The bill from the house, to authorise the extension, construction, and use, of a lateral branch of the Baltimore and Ohio rail road into and within the District of Columbia, was twice read, and referred to the district committee.

February 17. Mr. *Burnet* presented a communication from governor McArthur, of the state of Ohio, transmitting a resolution and an act entitled "an act for the preservation and repair of the United States' road," in that state, passed by the general assembly of the state of Ohio. Mr. Burnet called the attention of the senate to one section of the act which provides that no toll shall be charged on the United States mails—on any cavalry or other troops, militia, arms or military stores, belonging to the United States, or any of the states comprising the union. Mr. Burnet moved to lay the documents on the table, and said he should, on to-morrow, ask the concurrence of the senate to the bill.

The bill for the punishment of crimes in the District of Columbia was then taken up for a third reading.

The bill was read and the question about to be put on its passage, when Mr. *Hayne* remarked that he did not hear distinctly that clause in which duelling was included, and requested to have that section again read.

This being complied with, it appeared by this clause of the bill, that duelling was classified with forging and other crimes of a similar stamp, and imposed the infliction on persons engaged in duelling, whether as principals or participators, as sending or carrying a challenge to fight a duel, of a period of imprisonment in the penitentiary of from one to five years.

Mr. *Hayne* observed that, although he was opposed to the practice of duelling, and had ever been so, he thought that any attempt to suppress it by unreasonable punishment would only do harm, and defeat its own object. And he was convinced that to classify it in this manner with forgery and crimes of a like low and degrading cast, would in the result amount to impunity, as regarded it altogether. When the punishment was of this degrading description, and subjected high and honorable men—for such were often forced to engage in this practice—prosecutors would with difficulty be got to come forward, and when they would, juries would, on most cases, have conscientious scruples to convict, and thus would the enactment fail to be of any salutary use. At this late period of the session, he was unwilling to throw any obstruction in the way that might delay the passage of the general bill, but he suggested, as the simplest mode, to recommit to the committee on the District of Columbia, to consider some change or modification of this particular clause.

Mr. *Woodbury*, in the event of its being recommitted, wished to call the attention of the chairman of the committee to the clause which related to gambling. In the state (New Hampshire) in which he resided, although gambling was looked on with great abhorrence, and was there, as in other states in that section of the union, in general suppressed, still the enactment in the present bill would be looked on as one of great severity.

Mr. *Chambers* spoke at considerable length in explanation. In alluding to the objection raised by Mr. Hayne, he stated that it was so designed by the committee to stamp the practice of duelling as a crime of a degrading character, and he thought that such was the intention of the house of representatives, in wording the clause as it stood. In reference to the remark of Mr. Woodbury, he instanced the law of Maryland, enacted against gambling, as being equally severe.

Mr. *Poindexter*, Mr. *Frelinghuysen*, Mr. *Livingston* and Mr. *Tyler*, severally delivered their opinions, and with much eloquence, on the best mode of legislation to suppress duelling.

Mr. *Poindexter* and Mr. *Tyler* thought the most effectual system was that of disqualification from office, as was the law at present in Virginia.

Mr. *Chambers*, after the preceding gentlemen had thus expressed their sentiments, said he should feel somewhat embarrassed on the bill going back to the committee. It might be that the committee would differ from the majority of the senate on the subject, and it would probably be better that the sense of the senate should first be ascertained, when the committee would know how to proceed. With that view he would, therefore, move that the bill be laid on the table for the present.

The motion was agreed to, and the bill was laid on the table accordingly.

On the motion of Mr. *White*, the senate then went into the consideration of executive business.

February 18. After some minor business—

The senate then took up the general appropriation bill, together with the amendments reported by the committee of finance of the senate.

The five first amendments were agreed to—

The sixth amendment was as follows:

"For the outfit and salary of an envoy extraordinary and minister plenipotentiary, for the salaries of a secretary of legation, of a drogoman, and a student of languages, at Constantinople, and for the contingent expenses of the legation, seventy-four thousand dollars; that is to say, for the outfit of an envoy extraordinary and minister plenipotentiary, nine thousand dollars; for salary of the same, nine thousand dollars; for salary of a secretary of legation, two thousand dollars; for the salary of a drogoman, two thousand five hundred dollars; for the salary of a student of languages, one thousand five hundred dollars; for the contingent expenses of the legation, fifty thousand dollars.

["For compensation to the commissioners employed in negotiating a treaty with the sublime porte.

"To Charles Rhind, an outfit of four thousand five hundred dollars, deducting therefrom whatever sum may have been paid to him for his personal expenses.

"To Charles Rhind, David Offley, and James Biddle, at the rate of four thousand five hundred dollars per annum, for the time that each of them was engaged in the said negotiation.

"For compensation to the commissioners employed on a former occasion for a similar purpose.

"To William M. Crane and David Offley, at the rate of four thousand five hundred dollars per annum, for the time that each of them was engaged in the said negotiation."]

Mr. *Tazewell* moved to strike out the part above included in brackets, and this motion gave rise to a debate which occupied the senate until past 4 o'clock, in the course of which allusion was made to the Panama mission, and the power of the president denied to appoint commissioners to conclude a treaty without submitting to the senate the appointment, for confirmation, at the next ensuing session after the appointment. The gentlemen who participated in the debate, were Messrs. *Tazewell, Chambers, Smith*, of Md. *Bell, Kane, King*, and *Sanford*.

To give an opportunity for Mr. *Tazewell* to reply to gentlemen opposed to his motion to strike out that part of the amendment before noticed,

The senate adjourned.

February 19. Among the petitions presented were two by Mr. *Barnard* from upwards of five hundred citizens of the city of Philadelphia, engaged in the manufacture of iron, praying that the duties on foreign iron may not be reduced or rescinded; which was referred.

A great many bills from the other house were twice read and referred.

The general appropriation bill was taken up.

Mr. *Tazewell* was entitled to the floor; but, with his consent, Mr. *Ellis* moved to lay the bill and amendments on the table, with a view to going into the consideration of executive business.

Mr. *Smith*, of Md. remarked, that there would be no money to meet demands at the treasury until the bill passed.

Mr. *Ellis* withdrew his motion.

Mr. *Kane* then submitted an amendment, to the following effect:

To strike out a part of the proposed amendment, and insert "to the persons heretofore employed in our intercourse with the sublime porte, the further sum of fifteen thousand dollars, in addition to the sum of twenty-five thousand dollars, appropriated for the contingent expenses of foreign intercourse."

Mr. *Ellis* then renewed his motion; and the bill and amendments were laid on the table, and the senate went into secret session, and remained with closed doors until the hour of adjournment.

February 21. After attending to private claims, &c.

Mr. *Smith* of Md. from the committee on finance, reported a bill relative to slaves introduced into the United States; which was read.

Mr. *McKinley*, from the committee on the judiciary, reported the bill from the other house, relative to the claims of the citizens of the United States on the government of Denmark, and recently provided for by treaty, without amendment; and it was read the third time and passed.

The bill from the house of representatives making additional appropriations for improving certain harbors and removing obstructions in certain rivers, was read twice and referred.

Mr. *Hayne* rose and remarked, that, at the opening of the present session, the message of the president of the United States contained a clause relative to internal improvements, which was referred to the committee on that subject. His object in rising at this time, was to ask of the chairman of that committee whether the committee would make a report on the subject during the present session.

Mr. *Hendricks*, (chairman of the committee on internal improvements), said he could only reply, [he had heard the gentleman from South Carolina indistinctly] that he could not say whether the committee would report or not at this session. He, for one, was not in favor of submitting an abstract report on the subject. At the instance of the senator from Virginia, (Mr. *Tyler*), the matter had been referred to the committee of which he was chairman, and he had no doubt that gentleman could give the senate more information on the subject than it was in his power to do.

Mr. *Tyler* said, he was of opinion it was due to the president to make some response on the subject named, which had been noticed in his message. He himself had devoted considerable time in the preparation of a report on the subject, which he had intended to present to the senate; and he remarked, on the importance of a direct answer to the message of the president. There was no reason to doubt that the draft of a report, which had been prepared by him, would have been satisfactory to the senate, and to the people. He had received the co-operation of the senator from Mississippi, (Mr. *Poindexter*), in the committee, though that gentleman and himself being in the minority, they had been overruled. He felt this explanation due to himself; whether a report would be made, must, then, of course, depend on the majority of the committee. He had taken this opportunity to shake off all responsibility, so far as he was concerned.

Mr. *Dudley* said, that the gentleman from Virginia was correct in what he had stated. He could not however, sanction the report prepared by that gentleman, and was for himself, of opinion, that it would be better for the committee to make no report on the subject.

Mr. *Hayne* suggested, for the consideration of the committee, that when they had arrived at the conclusion not to make a report, it would be well for them to move to be discharged from the further consideration of the subject.

Mr. *Hendricks* said, a motion like the one just suggested he might probably have made, but for his opinion that it would lead to a debate, tedious and unprofitable. He had no disposition unnecessarily to consume the time of that body. There were matters for consideration before the committee, which he thought were of more importance, and should have the preference. If any member of the committee chose to make the motion suggested by the gentleman from South Carolina, certainly he should not object to it.

Mr. *Poindexter* said that he coincided with the views of the gentleman from Virginia. They had regard to the expediency, and not the constitutionality, of the question, &c. Here the matter ended for the present, and the senate proceeded to the consideration of executive business.

February 22. Other business being attended to, which will sufficiently appear in its progress.

Mr. *Robinson* presented two joint resolutions of the legislature of Illinois—one requesting of congress a grant of public land, for the purposes of education; the

other relative to the location of the Indians in that state west of the Mississippi; which were referred.

Mr. *Dickerson* presented the memorial of a number of citizens of the state of New Jersey, praying that the duties imposed by the present tariff on foreign iron imported may not be reduced; which was referred.

The bill from the other house, making appropriations for certain fortifications during the year 1831, was read the third time and passed.

The senate, then, on motion of Mr. *Smith*, of Md. resumed the consideration of the amendments to the bill for the support of government for the year 1831; the amendment offered by Mr. *Tazewell* as stated in our report of proceedings on Monday, and as farther proposed to be amended by Mr. *Kane*, being under consideration.

Mr. *Tazewell* rose and advocated in a speech of two hours and a half, his motion to strike out the appropriation for the commissioners who negotiated the treaty with the sublime porte, contending that the appointment of those commissioners during the recess of congress, (in 1829), and abstaining from submitting their appointments to the senate for its consent at its next ensuing session, was an unauthorised measure, on which he animadverted with much earnestness and freedom—characterizing it as a most unconstitutional act, as a flagrant derogation from the rights of the senate; as a flagrant and lawless act, &c. and one that ought not to be passed over by the senate without condemnation. The power was one, he contended, that belonged to the president and senate jointly, and not to the president alone.

Mr. *Kane* replied briefly to some of the remarks of Mr. *Tazewell*, and was followed by Mr. *Woodbury*, who stated the reasons for the vote he had given on the Panama question, and labored to show that, in the vote he should give against the proposed amendment, he should not be guilty of inconsistency. He was pleased with the treaty, and would give the commissioners who concluded it, a *quid pro quo* for their services.

Mr. *Livingston* rose to address the senate in reply to Mr. *Tazewell*, when, after a few words, he gave way for a motion to adjourn, and

The senate adjourned.

February 23. Several more petitions against the removal of the Indians, were presented:—as well as a large number of other petitions. (As many, perhaps, have been presented this session, as are generally acted upon in ten sessions.]

Mr. *Poindexter* reported a bill concerning Martha Randolph.

Mr. *Chambers*, from the committee on the district of Columbia, reported the bill from the other house relative to a lateral branch of the Baltimore and Ohio rail road within the District of Columbia, with certain amendments; which were read.

The *chair* laid before the senate a message from the president of the United States, in reply to a resolution of the senate on the subject of the execution of the law of 1802, to regulate trade and intercourse with the Indian tribes; which was read, and 3,000 copies thereof ordered to be printed by a vote of—yeas 20—nays 19.

[The message is of considerable length, gives a full statement of the views of the president on the subject of the provisions of the law referred to, and details the course that has been pursued, by him in the execution of the law.]

Many bills from the other house were disposed of—chiefly of a private nature.

The senate then again resumed the consideration of the amendments proposed to the general appropriation bill; particularly that submitted by Mr. *Tazewell* as proposed to be further amended by Mr. *Kane*.

Mr. *Livingston* took the floor, and spoke for two hours in support of the appropriation, and in reply to the remarks of Mr. *Tazewell*. He referred to the treaties heretofore concluded with the Barbary powers, and proved that not only the agents were not nominated to the senate, but that the senate had no information of the conclusion of the treaties until sent to it for ratification—even farther; in two or three of the cases to which he had referred, the commissioners had received their full powers through American ministers at foreign courts. He spoke of the agency of commodores Decatur and Chauncey had in concluding two of these treaties, and asked if the names of those officers had ever been sent to the senate for confirmation. He further referred to cases in which treaties had been made with foreign powers by American secretaries of state, and inquired whether, in these cases, the officers concluding the treaties had been nominated to the senate as ministers plenipotentiary for confirmation. He should vote for the appropriation, and denied that, in so doing, he should violate the constitution which he had many times sworn to support; and with the provisions of which he was acquainted when it was in its cradle. He threw back upon the senator from Virginia the charge that, to vote for the appropriation, would be an unconstitutional usurpation of power. He repelled the charge; said he could not tamely submit to it, nor should those who would vote with him: No man would go farther than he in supporting the constitution—he would not yield even to the gentleman from Virginia, &c.

Mr. *Tyler* rose when Mr. *Livingston* concluded, and stated his wish to address the senate, but, as what he had to say, would consume more time than the senators would be disposed to indulge him with this evening, he moved an adjournment. The motion prevailed, and

The senate adjourned till to-morrow.

February 24. The bill from the other house for the relief of certain importers of foreign merchandise, was reported without amendment, and ordered to a third reading.

The bill to construct a road through the Creek nation, was ordered to been grossed for a third reading.

A number of private bills were disposed of.

The senate again resumed the consideration of the amendments to the general appropriation bill. Mr. *Tyler* addressed the senate, and, in a speech of two hours, in reply to Messrs. *Livingston* and *Kane*, defended the course of Mr. *Tazewell*. He concluded by moving an amendment, declaring "that nothing in this act contained, shall be construed as sanctioning, or in any way approving, the appointment of these persons by the president alone," &c.

Mr. *Tyler's* speech was very animated, and exceedingly severe on the secretary of state. "He had moved heaven and earth to seek to put down the last administration, but, notwithstanding the shoes that he then had on were not worn out, when he himself—this same individual—the present secretary—*originated a mission*, and called upon the senate to sanction it," &c. Mr. *Brown* followed, and justified the proceedings of the executive—and he spoke warmly about the "rank usurpation" charged. "Our shafts," said he, "may be cast at the ministers, but they wounded only the president; for he alone is responsible." Mr. *Tazewell* rejoined, and said a power had been exerted in "this case in violation of the constitution." He was followed by Mr. *Livingston*—and on the motion of Mr. *Forsyth*, the senate adjourned.

[We regret that the sketches of this day's business cannot be extended. We hope to bring up and preserve the proceedings.]

HOUSE OF REPRESENTATIVES.

Wednesday, Feb. 16. Mr. *Dorsey*, from the committee on naval affairs, to which was referred so much of the president's message as relates to the navy, made a detailed and lengthy report on so much of said message as recommends an increase of the pay of the navy, accompanied by the following bill increasing the pay of captains and masters commandants, &c.; which was twice read and committed to the committee of the whole on the state of the union.

The bill is as follows:

Sec. 1. *Be it enacted*, &c. That from and after the passage of this act, the pay of captains and masters commandant in the navy of the United States, shall be, in full and in lieu of all pay, emoluments, and allowances whatsoever, except as hereinafter provided, as follows:

A captain of fifteen years standing and upwards, while on shore, three thousand dollars—while at sea, three thousand five hundred dollars.

A captain of ten years standing, and under fifteen, while on shore, two thousand seven hundred and fifty

dollars—while at sea, three thousand two hundred and fifty dollars.

A captain of five years standing and under ten, while on shore, two thousand five hundred dollars—while at sea, three thousand dollars.

A captain under five years standing, while on shore, two thousand dollars—while at sea, two thousand five hundred dollars.

A master commandant, while on shore, fifteen hundred dollars—while at sea, two thousand dollars.

A captain commanding a squadron, fifteen per cent. upon his sea pay, according to his rank as aforesaid.

Captains, commanding navy yards, shall be entitled to the same pay as is allowed to officers of the same rank while at sea.

Sec. 2. *And be it further enacted*, That it shall be the duty of the accounting officers of the navy department to allow to captains commanding at navy yards, an adequate credit for quarters whenever the same are not provided by the government.

Sec. 3. *And be it further enacted*, That all officers of the navy travelling on the public service, shall be allowed in lieu of all travelling expenses, twelve cents per mile, and for every day's detention at any place, not their residence, and not on board the ship to which they may be attached, two dollars per diem.

Mr. *Cambreleng*, from the committee of commerce, reported the following bill; which was twice read, and ordered to a third reading on Monday next, the 21st instant.

A bill for the relief of certain importers of foreign merchandise.

Be it enacted, &c. That the secretary of the treasury shall be, and he is hereby authorised to extend relief to any importer of foreign merchandise who may have been charged under the provisions of the third section of the act, entitled, "an act for the more effectual collection of the duties on imports," passed 28th day of May, 1830, with any duty in addition to the duties existing on such merchandise previous to the passage of said act, to the amount of such additional duty: *Provided*, said merchandise shall have been imported previous to the 1st day of January last.

The house resumed the consideration of the resolution proposing to print 6,000 additional copies of the reports of the majority and minority of the judiciary committee.

Mr. *Daniel* resumed the floor, and consumed the remainder of the allotted hour in the continuation of his speech on the judiciary—having used the occasion for presenting his views generally, on the questions embraced in the reports—arguing against the competency of the supreme court to decide on the validity of state laws, illustrated by a reference to the decisions of the court on the complex land laws of Kentucky, &c. and concluding by some remarks on the subject of nullification. When he had taken his seat,

Mr. *Barringer* gave notice that when this subject came up to-morrow, he should make a question of order, whether it was competent for members, on a simple motion to print the reports, to go into a general discussion of the reports themselves, and the whole subject of the judiciary.

Mr. *Mercer* moved to suspend the rule of the house in regard to motions, for the purpose of enabling himself to submit a resolution requesting the executive to enter into negotiations with the maritime powers of Europe, to induce them to enact laws declaring the African slave trade piracy, and punishing it as such; but the motion, (requiring two-thirds) was lost—63 to 54.

The house went into committee of the whole on the bill supplementary to the act of 1828, for the relief of certain surviving officers and soldiers of the revolution.

This bill, as usual on all bills making general provision on the subject of pensions, gave rise to much debate; especially on the often discussed question of including the militia in the relief extended to the regular soldiers. The debate on this question arose on a motion by Mr. *Tucker*, of S. C. to include the militia volunteers and state troops in the present bill, which was ultimately adopted, almost by general consent. The gentlemen who entered into the discussion (some of them repeatedly), were Messrs. *Verplanck*, *Davis*, of Mass. *Williams*, *Tucker*, *Taylor*, *Chilton*, *Craig*, *Burges*, *Bates*, *Richardson*, *Huntington*, *Spencer*, of N. Y. *McDuffie*, *A. H. Shepperd*, *Strong*, *Wilde*, *Campbell*, *Ellsworth*, *Speight*, *Barringer*, *Polk*, and *Swift*.

On the motion of Mr. *Huntington*, in the course of the discussion, a provision was adopted (see end of 4th section), to allow to the widow or children of a deceased pensioner the balance of the semi-annual pension following his decease.

The committee of the whole having risen and reported the amendments, and they having been agreed to by the house,

Mr. *McCreery* moved further to amend the bill, by adding the following section, and made some remarks in explanation and support of his proposition, viz:

Sec. 5. *And be it further enacted*, That the provisions of the act for the relief of certain surviving officers and soldiers of the revolution, passed the 15th day of May, 1828, shall not hereafter be extended to officers who were commissioned after the 1st day of December, 1781, unless they were in the service prior to the date of their commissions; and all such officers who are now receiving pensions, shall be stricken from the roll, from and after the passage of this act.

Mr. *Doddridge* moved the *previous question*, which being sustained, cut off Mr. *McCreery's* motion.

Mr. *Speight*, called for the yeas and nays on the previous question; but the house refused them.

Mr. *Lewis*, of Ala. moved a call of the house, but this also was negatived; and then

The question being put on ordering the bill to be engrossed and read a third time, it was carried by the following vote:

YEAS—Messrs. Anderson, Angel, Arnold, Bailey, Noyes Barber, Barringer, Bartley, Bates, Baylor, Beekman, Boon, Broadhead, Brown, Buchanan, Burges, Butman, Cahoon, Cambreleng, Campbell, Chandler, Childs, Chilton, Clark, Coleman, Condict, Conner, Cowles, Crane, Crawford, Crockett, Creighton, Crowninshield, John Davis, Deberry, Denny, De Witt, Dickinson, Doddridge, Dorsey, Dudley, Duncan, Earll, Ellsworth, G. O. Evans, Joshua Evans, Horace Everett, Findlay, Finch, Ford, Forward, Gaither, Gilmore, Grennell, Halsey, Harvey, Hawkins, Hinds, Holland, Hoffman, Hubbard, Hughes, Hunt, Huntington, Ihrie, William W. Irvin, Jarvis, Johns, Richard M. Johnson, Kendall, Kincaid, Perkins King, Adam King, Leavitt, Lecompte, Leiper, Lyon, Magee, Marr, Martindale, T. Maxwell, McCreery, McIntire, Mercer, Mitchell, Muhlenburg, Overton, Pearce, Pettis, Pierson, Randolph, Reed, Rencher, Richardson, Russel, Sanford, Scott, Wm. B. Shepard, Aug. H. Shepperd, Shields, Semmes, Sill, Smith, Richard Spencer, Sterigere, Wm. L. Storrs, Strong, Sutherland, Swann, Swift, Taylor, Test, John Thomson, Tracy, Tucker, Varnum, Verplanck, Washington, Weeks, Whittlesey, Camp. P. White, Edward D. White, Wilde, Williams, Wilson, Yancey, Young—126.

NAYS—Messrs. Alexander, Alston, Armstrong, Barnwell, Jas. Blair, Jno. Blair, Bockee, Claiborne, Clay, Coke, Craig, Crocheron, Davenport, W. R. Davis, Desha, Draper, Drayton, Foster, Fry, Gordon, Haynes, Howard, Cave Johnson, Lamar, Lea, Letcher, Lewis, Loyall, Lumpkin, McDuffie, Nuckolls, Polk, Potter, Roane, Speight, Sprigg, Standefer, Wiley Thompson, Trezvant, Vance, Vinton, Wayne, Wickliffe—43.

The following is the bill as it was passed to a third reading.

Be it enacted, &c, That each of the surviving officers, non-commissioned officers, musicians, and soldiers, of the army of the revolution, who shall have served in the continental line, state troops, volunteers or militia, at one or more terms a period of two years during the war of the revolution, and who are not entitled to any benefit under the act for the relief of certain surviving officers and soldiers of the revolution, passed the fifteenth day of May, eighteen hundred and twenty-eight, be authorised to receive, out of any money in the treasury not otherwise appropriated, the amount of his full pay in the said line, according to his rank, but not exceeding, in any case, the pay of a captain in the said line; such pay to commence from January 1, 1830, and shall continue during his natural life; and that any such officer, non-commissioned officer, musician, or private, as aforesaid, who shall have served in the continental line, state troops, volunteers or militia, a term or terms, in the whole less than the above period, but not less than six months, shall be authorised to receive out of any unappropriated money in the treasury, during his natural life, each, according to his term of service, an amount bearing such proportion to the annuity granted to the same rank, for the service of two years, as his term of service did to the term aforesaid, to commence from January 1, 1830.

Sec. 2. *And be it further enacted*, That no person, receiving any annuity or pension under any law of the United States providing for revolutionary officers and soldiers, shall be entitled to the benefits of this act, unless he shall first relinquish his further claim to such pension; and in all payments under this act, the amount which may have been received under any other act as aforesaid, since the date at which the payments under this act shall commence, shall first be deducted from such payment.

Sec. 3. *And be it further enacted*, That the pay allowed by this act shall, under the direction of the secretary of the treasury, be paid to the officer, non-commissioned officer, musician, or private, entitled thereto, or his or their authorised attorney, at such places and times as the secretary of the treasury may direct: and that no foreign officer shall be entitled to said pay, nor shall any officer, non-commissioned officer, musician, or private, receive the same until he furnish the said secretary satisfactory evidence that he is entitled to the same in conformity to the provisions of this act; and the pay hereby allowed shall not be in any way transferable, or liable to attachment, levy, or seizure, by any legal process whatever, but shall enure wholly to the personal benefit of the officer, non-commissioned officer, musician, or soldier, entitled to the same.

Sec. 4. *And be it further enacted*, That so much of the said pay, as accrued before the approval of this act, shall be paid to the person entitled to the same as soon as may be, in the manner and under the provisions above mentioned; and the pay which shall accrue thereafter shall be paid semi-annually, in the manner above directed. And in case of the death of any person embraced by the provisions of this act, or of the act to which it is supplementary, during the period intervening between the semi-annual payments directed to be made by said acts, the proportionate amount of pay which shall accrue between the last preceding semi-annual payment, and the death of such person shall be paid to the widow, or if he leave no widow, to his children.

Thursday, Feb. 17. On a division, soon after the commencement of business this day, it appeared that a quorum was not present—but a call of the house being ordered, 108 members answered to their names.

The house resumed the consideration of the motion to print 6,000 copies of the reports of the judiciary committees.

An attempt was made by Mr. *Barringer* to arrest the debate in a question of order as to the latitude of the debate, but the effort was not successful.

Mr. *Foster* then took the floor, and spoke at length on the subject, not having concluded when the expiration of the hour arrested his remarks.

The various bills ordered to be engrossed were read a third time and passed.

On the passage of the bill supplementary to an act entitled an act for the relief of the surviving officers and soldiers of the revolution.

After an attempt to recommit the bill—it was passed—130 to 62.

The appropriation bills were then taken up, in committee of the whole, amended, &c. They were for the naval and military service, for the improvement of harbors—fortifications—the Indian department—improvement of roads and rivers—the engineer, ordnance and quarter master department, being such bills as usually come up. In the bill for roads and rivers, however, an amendment appropriating 150,000 dollars for the improvement of the Ohio river, was adopted—ayes 79, noes 52.

Friday, Feb. 18. After other business—

Mr. *Cambreleng*, from the committee of commerce, reported a bill allowing the duties on foreign merchandise imported into Pittsburgh, Wheeling, Cincinnati, Louisville, St. Louis, Nashville and Natchez, to be secured and paid at those places; which was twice read, and Mr. C. moved that it be ordered to a third reading.

Mr. *McDuffie* opposed the motion because it was a subject which belonged to the revenue, and ought to have been before the committee of ways and means. It, moreover, was a novel principle—one involving a great expenditure in the number of custom-house officers which would have to be appointed—and if the principle were adopted, every large town in the union situated on a river would be entitled to the same privilege. He moved the reference of the bill to the committee of ways and means.

Mr. *Wickliffe* and Mr. *Pettis* defended the bill against the objections urged, and argued to show its necessity to the convenience of the large and thriving commercial places comprised in the bill. Before the question was taken, the hour elapsed.

The several appropriation bills which yesterday passed through the committee of the whole, were taken up, and the several amendments agreed to by the house.

Mr. *Drayton* then renewed the motion made by him in committee of the whole, to increase the appropriation of the year for arming fortifications from one to two hundred thousand dollars; and he insisted on the expediency of greater dispatch in arming our fortifications, from the probability of a war in Europe, and the possibility of our being drawn into it.

Mr. *McDuffie* thought there was not the remotest danger of our being involved in any war of the kind. His opinion was that the contests now going on in Europe in the name of liberty, were not such as to render our interference probable.

Messrs. *Hoffman*, *Yancey*, *Wilde* and *Burges*, also opposed the amendment, and Mr. *Carson* supported it; and after much debate,

The amendment was lost by yeas and nays—yeas 69, nays 90.

Mr. *McDuffie* moved to insert an appropriation of $3,000 for the purchase of medals to be distributed amongst Indian chiefs.

Mr. *Vance* said the object was a proper one, as it was well known that such presents to the Indians were very useful and had been always customary. He could not forbear, however, from reminding those gentlemen who now saw the expediency of the measure so clearly, that an expenditure under the late administration of one-third of the sum now proposed, filled about a page of the famous report of the committee of retrenchment, in setting forth its enormity.

The appropriation was agreed to—ayes 85, noes not counted.

The bill making appropriations for improving the navigation of rivers, removing obstructions from the mouths of rivers and harbors, &c. next came up—

Mr. *Lea* wished to know the sense of the house on this measure; he wished to know what was meant by this sort of external internal improvement; he wished to know how high up a river it was considered constitutional to go without coming in conflict with the objectionable principle, and how far the house could carry a distinction which he himself could not see or approve. He could see no difference between appropriations for harbors and the mouths of rivers, and appropriations for the improvement of the interior of the country. He, therefore, asked for the yeas and nays on the engrossment of this bill.

Mr. *Carson* said he felt that on the subject of internal improvement it was perfectly useless to say a word. The bill proposed various objects of expenditure for harbors, &c. What evidence was there of their necessity—not to speak of their constitutionality—that he would not mention—it is scoffed at—*we have no constitution—it is dead and gone.* But he knew of no evidence that the improvements were needed, admitting their legality. He went through all the items, to show that many of them were unworthy of legislation, and some of them contemptible. He protested against them, and said that the items for his own state should not seduce him to vote for the bill. Nothing, however, which he could say, he was aware, would have any influence on the house; he, therefore, called on his friend from Kentucky, (Mr. *Yancey*), to make a speech against it. Accordingly

Mr. *Yancey* rose and in a short speech inveighed in vehement terms against this course of extravagant expenditure, and urged the house to return to the good old system of Jeffersonian economy.

Messrs. *Irvin* and *Whittlesey* defended the appropriation in reference to the waters of lake Erie, showing their importance to the commerce of the west, the great extent of the commerce of the lake, the deficiency of

natural harbors on it, and the necessity of forming them, &c.

Mr. *Sill* also defended at some length the appropriation for the harbor of Erie.

Mr. *McDuffie* begged the friends of the bill not to consume the time of the house in making speeches against an opposition so untenable that it could not certainly gain thirty votes. The bill embraced no new objects; it embraced such only as former appropriations authorised, or standing laws required, and every item had been examined and approved by a committee. He hoped, therefore, that the debate would be left entirely to the enemies of the bill.

Mr. *Carson* replied, and reiterated his objections to the bill, on the score of expediency and principle.

Mr. *Drayton* said that most of the items were proper, but there was some which he deemed unconstitutional. He could not vote for the bill.

The question was taken on the third reading of the bill and carried—113 to 45.

On motion of Mr. *Whittlesey*, it was

Resolved, That the secretary of the navy be directed to transmit to this house *all* the papers in his department in any manner relating to the capture and detention of several negroes on board of the vessels Constitution, Louisa and Marion.

Adjourned.

Saturday, Feb. 19. After the speaker had taken the chair, it appeared that a quorum was not present—a call of the house was made, and soon after there was a quorum, and the business proceeded.

Mr. *Buchanan* moved that the committee of the whole house to which was committed the bill declaratory of the law concerning contempts of court, be discharged from the consideration of that bill, and that it be laid on the table. Carried.

The bills making appropriations for the navy for 1831;

Making appropriations for the military for 1831;

Making appropriations for fortifications for 1831;

To adjust the books of the fourth auditor; were severally read a third time, passed and sent to the senate for concurrence.

The engrossed bill making additional appropriations for the improvement of certain harbors, and removing obstructions at the mouths of certain rivers, was read the third time.

Mr. *Carson*, of N. C. rose and said the liberties of my country are by this bill put up for sale. *I, for one, will not be bribed to vote for it.*

Mr. *Barringer* said he was very sorry to hear such language from his colleague. The liberties of the country put up to sale? How put up to sale? asked Mr. B. It is an imputation on the house—not only on this house, but on every congress from the foundation of the government, and every executive from the commencement to the present. This bill Mr. B. said, presented no question of internal improvement, as that question is understood by southern gentlemen generally.

He had voted with his colleague on these appropriations heretofore; they were for objects annually provided for by congress. his colleague had voted for them, and this was the first time that he had found out that they put up to sale the liberties of his country. This was a strange declaration—that in a bill of the most usual and customary character—to promote the commerce and revenue of the country—which had been regularly provided for every year, without any body dreaming that it was a violation of the constitution—to hear it proclaimed now that it was selling the liberties of the country! If that is the case, where, he asked, was the vigilance of his colleague on former occasions, when similar appropriations had received his vote? The principle, Mr. B. said, had never been denied, that where the commerce of the country could be facilitated or increased, and the revenue derived therefrom was received exclusively by the general government, that it was within the province of the government to make the improvement; and this was strictly and peculiarly the case with harbours, and the mouths of rivers, where obstructions impeded or endangered the navigation. This was a species of improvement which it had never been contended devolved on the states themselves—they had been executed by the general government from the beginning of the government; at least such had been the action of congress ever since he had been here, and the action, he believed, of those who had gone before us. It was for his colleague to exercise his own judgment for himself on this subject and all others; but in mercy, Mr. B. said, he hoped his colleague would permit him to exercise the same right without the imputation of selling the liberties of his country.

The *speaker* checked Mr. B. He did not understand Mr. C. as imputing such a decision to members, but only as speaking of the effect of the bill.

Mr. *Carson* hoped the speaker would permit his colleague to proceed, and cast every thing on him that he desired. He knew his motive.

Mr. *Barringer* resumed. He wished only to vindicate himself, not to cast any thing on his colleague.—North Carolina had petitioned for the improvement of Roanoke inlet. This object was in no way different from the objects in this bill. North Carolina had petitioned congress for the improvement of Ocracock and the Cape Fear, and all her delegation had supported the application. It had been frequently before the house, and none of them had discovered that it was unconstitutional; and now because these objects are embraced in this bill, are we who vote for it to be charged with being bought up? He had voted for such a bill every year, when these objects were not included, and he should have voted for it now, if they had been excluded. Was he to vote against what was right, because he could not obtain what he conceived just, or vote against the bill because the objects which his own state had at heart were included, lest he might be charged with being bought up? He protested against such injurious imputations.

Mr. *Carson* said that he was very glad that his colleague had let off some matter which he had been pregnant with for some time—[The *speaker* here interposed, and said that the gentleman's colleague had disclaimed any reflection upon the gentleman's motives.] I understood him to do so, said Mr. C., and I too disclaim any intention to reflect upon the motives of other gentlemen. My colleague says that I charge him with being bought: that was the purport of his speech. Sir, I made no such charge. I am willing to say that every member who votes for this bill believes that he is right. But I believe that they are wrong, and that those who do vote for it, whatever is their motive, are selling the liberties of their country. In ancient times the Roman leaders bought up the liberties of the people with the spoils of the conquered provinces; *and this policy of internal improvement and our high-handed tariff are the means with which the liberties of this people are to be bought up.* My colleague says he will not defend the constitutionality of the appropriations proposed by this bill: and well he may say so, for he cannot defend it. The constitution has been placed in the hands of empirics—of political quacks, who have given it a construction whereby it is swallowing up the liberties of the country; and, when they are gone, where are we to look for liberty! Where, sir, I repeat, are we to look for it? Almighty God may have ordained that liberty shall exist only in one hemisphere at a time. If so the genius of liberty may have taken her flight from among us—she may have followed Lafayette across the waters—and whilst they have liberty in France, we may have tyranny here. I must believe, sir, if our liberties are saved, that it can be only by the interposition of the individual states; and, sir, I look to old Virginia, as the nucleus around which the states are to rally to resist the usurpations of the general government. I look to her sons—to her Patrick Henrys (such men as he, who dared to declare that resistance of oppression was not treason)—I look to her Madison, to her Monroe, to you, sir, (the speaker)—gentlemen may laugh, sir, but I look to such men—not to men bought up by appropriations and by the hope of office, but to men of high and elevated feelings and stern integrity to save my country. If such men do not rouse themselves to action, our liberty is gone. Mr. C. concluded with saying, that perhaps he had spoken with too much warmth on this occasion; that he was sick, and had no intention to come here to-day; but that he had been sent for, and brought from his bed by a call of the house. He knew it was in vain to oppose the passage of this bill, and perhaps there was no use in a man's throwing himself into the breach, and receiving in his breast the daggers of all who were in favor of it. He attacked the system, not the motives of gentlemen: but he solemnly believed, if this sort of legislation was persisted in, our liberties were gone; and that nothing but the action of the states could save them.

Mr. *Blair*, of Tennessee, said that, although, for several years past, he had voted in favor of measures of internal improvement, and had seen no reason to change his opinion or his course in that particular, yet he should vote against this bill, because of the arguments by which it had been supported by the gentleman from North Carolina, [Mr. *Barringer*.] For his part Mr. B. said, *he could not see why the mouth of a river should be improved by appropriations of the public money more* than *its bed; nor why a measure of this description, coming from the committee of commerce, was not as much a measure of internal improvement, as if it had come from the committee of roads and canals.* Suppose the appropriations proposed by this bill had been for the improvement of the Ohio river, or for removing obstructions in other streams; would not the gentleman from North Carolina have gone against that measure? Has he not invariably gone against such appropriations? What, then, shall we see, if we act upon the principles which govern his vote in favor of this bill? Why, sir, that there is to be a system of appropriations for bays and rivers, for expenditures on tide water, and no appropriations are to be made for the improvement of the interior. It is, therefore, sir, that I am obliged to turn my back against this bill, after voting for similar measures for the last eight years. Sir, look at the details of this bill: the state of Ohio is the only one of the western states for which the smallest appropriation is proposed in it. Suppose I were to call for an appropriation for the improvement of the Coosa river; would the gentleman from North Carolina come out and say that that appropriation is constitutional? No, sir, he would not admit its constitutionality, because it is above the mouth of the river, and not immediately connected with foreign commerce. Yes, sir, I might exhaust my strength here, in vain, in showing the importance of the connexion of the Coosa and Tennessee rivers; I should not get the vote of the gentleman from North Carolina. If the proposition for such an appropriation came from the committee of commerce, indeed, then I might, perhaps, get his vote, but not if it came from the committee on internal improvements. Mr. B. repeated that he felt himself called upon to vote against the bill, because of its exclusive nature, *going to establish a system of providing for the improvement of the mouths of rivers, bays, &c. and neglecting the whole interior interests of the country.* He was for improving the means of domestic as well as foreign intercourse

and commerce. If the exclusive system proposed by this bill was persevered in, the people whom he represented would derive no benefit whatever from the expenditure of public money. He believed this to be as much an internal improvement bill as any bill of that nature introduced at the present session: of its constitutionality he had no doubt: but he denied the expediency of thus limiting and partially carrying the principle into effect. Whenever measures should come before the house which do look to the great interests of the country—to those of the country beyond the Alleghany, as well as that on this side of it, his opinion on the subject would be found to be the same now as it always had been. In self defence, said he, we of the west must vote against such partial appropriations of the public money as are embraced in this bill, or else we shall become but hewers of wood and drawers of water; we shall feel the blessings of government in the burthens which it imposes, and not in the benefits which it confers.

Mr. *Barringer* again rose. It had been his practice, he said, to vote for what he deemed just and expedient, no matter by what committee the measure was reported. In regard to the question before the house, he said, his rule was this: that, if he found the object connected with the *commerce* of the nation, and calculated to benefit that commerce, he deemed the object legitimate, and he gave it his support. For instance: the mouth of the Mississippi, one of the items of this bill, was important to the commerce of all the great rivers which flow into it, and he could not hesitate to support the appropriation: and if gentlemen would point out any objects not leading to some port, and calculated to facilitate the commerce of the country, he would agree to strike it out. On the lakes he knew there were ports, and these were necessary to the great and growing commerce of those waters, and he was as ready to support legitimate objects in the west as the east. He would not condescend to inquire what part of the country the object was to benefit, so it was proper. If it came from the gentleman's (Mr. *Blair's*) committee (the committee on internal improvement) he would support it just as soon as if it came from any other. He would leave it to that gentleman to say how he could now oppose measures which he had formerly supported, because he thought the conduct of others improper or inconsistent. For himself, Mr. B. said, seeing nothing in this bill variant from what he had always supported, he should give it his vote.

Mr. *Whittlesey*, believing that further debate would not change a single vote, moved the previous question.

The motion was sustained, and the question being put on the passage of the bill, it was carried, by the following vote.

YEAS—Messrs. Anderson, Armstrong, Arnold, Bailey, Noyes Barber, Barringer, Bartley, Bates, Baylor, Beekman, Bockee, Boon, Brown, Burges, Butman, Cahoon, Cambreleng, Chandler, Childs, Chilton, Clark, Coleman, Condict, Cooper, Coulter, Cowles, Crane, Crawford, Crockett, Creighton, Crowninshield, Daniel, John Davis, Deberry, Denny, Dickinson, Doddridge, Dorsey, Dudley, Duncan, Dwight, Eager, Ellsworth, George Evans, Joshua Evans, E. Everett, Findlay, Finch, Ford, Forward, Fry, Gilmore, Green, Grennell, Gurley, Halsey, Hammons, Harvey, Hawkins, Hemphill, Hodges, Holland, Howard, Hubbard, Hughes, Huntington, Ihrie, Ingersoll, Thomas Irwin, W. W. Irvin, Jarvis, Johns, R. M Johnson, Kendall, Kennon, Kincaid, Perkins King, Leavitt, Lecompte, Leiper, Lent, Letcher, Mallary, Marr, Martindale, Thomas Maxwell, Lewis Maxwell, McCreery, McDuffie, McIntire, Mercer, Miller, Mitchell, Muhlenburg, Overton, Pearce, Pettis, Pierson, Randolph, Reed, Rencher, Richardson, Russel, Sanford, Wm. B. Shepard, A H. Shepperd, Shields, Semmes, Sill, Smith, Speight, Richard Spencer, Sprigg, Stanberry, Sterigere, Stephens, W. L. Storrs, Sutherland, Swann, Swift, Taylor, Test, John Thomson, Tracy, Vance, Varnum, Verplanck, Vinton, Washington, Weeks, Whittlesey, E. D. White, Wickliffe, Wilson, Yancey, Young—136.

NAYS—Messrs. Alexander, Alston, Angel, Archer, Barnwell, James Blair, John Blair, Campbell, Carson, Claiborne, Clay, Coke, Conner, Craig, Crocheron, Davenport, W. R. Davis, Desha, De Witt, Draper, Drayton, Earll, Foster, Gaither, Gordon, Hall, Haynes, Hoffman, Jennings, Cave Johnson, Lamar, Lea, Lewis, Loyall, Lumpkin, Magee, McCoy, Nuckolls, Patton, Polk, Potter, Ramsay, Roane, Scott, Standefer, Taliaferro, Wiley Thompson, Trezvant, Tucker, Wayne, Camp. P. White, Wilde, Williams—53.

A message was received from the president of the United States, transmitting the following report from the secretary of war.

War department, Feb. 18, 1831.

SIR: The island below New Castle, upon which fort Delaware is situated, is held by the United States, under a cession by the state of Delaware. A citizen of New York, Dr. Henry Gale, alleges the title to be in him, by virtue of a grant of New Jersey, and of subsequent purchases made under that grant.

The agent of Dr. Gale has proposed a surrender of title to the United States for the sum of $17,000, subject to an examination as to the strength and validity of his title.

The United States having expended large sums in the construction of fort Delaware, it is not proper that the right of property should be at all questionable.

I present to you copies of an agreement entered into with the agent, and propose that authority be given by congress to have the title inquired into: and, if ascertained to be defective, then to be compromised upon the terms stated in the agreement, for which purpose an appropriation will be necessary. Very respectfully,

JOHN H. EATON.

The president of the United States.

The message and documents were referred to the committee on military affairs.

The *speaker* laid before the house a letter from the first comptroller of the treasury, communicating lists of balances due from collectors of the customs, receivers of land offices and collectors of direct taxes and internal duties, more than three years prior to the 30th September, 1830, which were laid on the table.

Many bills, affecting private claims, were then attended to—which, with the other business transacted, will sufficiently appear hereafter.

Monday, Feb. 21. About 70 petitions this day—among them many on behalf of the Indians.

Among the petitions—

By Mr. *Sutherland*—of ship owners and others engaged in mercantile concerns in Philadelphia, for the erection of a light house on either of the points immediately at the entrance of the north-west branch of the Patapsco river; and that all vessels navigating the waters of the Chesapeake and Delaware bays may be required to carry lights after sunset.

By Mr. *Sutherland*, and also by Mr. *Miller*—of inhabitants of the city of Philadelphia, engaged in the manufacture of iron, and of persons friendly to the production of it in this country, remonstrating against the reduction of the duty on iron.

By Mr. *Duncan*—of the general assembly of the state of Illinois for an additional section of land in each township for the purpose of education.

By Mr. *Burges*—of merchants of Providence, in the state of Rhode Island, setting forth that the duties imposed in the island of Cuba upon American ships and cargoes, are so disproportionate to those which are levied upon Spanish ships and cargoes entering the ports of the United States, that, if continued, they will give the carrying trade between Cuba and the United States, exclusively to Spanish vessels; and that the duties upon American rice in Portugal and her dependencies are so high as to amount to a prohibition, notwithstanding a recent reduction of the duties upon Madeira and other Portuguese wines, imported into the United States; and praying congress to adopt such measures as may be deemed most expedient to remedy the evils complained of.

The *speaker* communicated to the house letters from the hon. *Robert Monell*, of New York, and the hon. *John Biddle*, delegates from Michigan, each resigning his seat in the 21st congress—the letters were read and laid on the table.

An engrossed bill for the relief of certain importers of foreign merchandise, which had been reported on Monday last, and ordered to be engrossed and read a third time to day, was read the third time accordingly.

And pending the question on the passage of the bill,

The resolution being put on its passage;

Mr. *Huntington* stated his objections to the resolution, and moved its indefinite postponement; and after some debate on the part of Messrs. *Huntington*, *Whittlesey* *Buchanan* and *Chilton*, a motion was made by Mr., *Carson* that the resolution be laid on the table; which motion prevailed.

Mr. *Everett* resumed the floor, and addressed the house nearly two hours—concluding his speech on Indian affairs. Mr. *Haynes* followed, and Mr. *Bell* addressed the house more than an hour, but in consequence of recent ill health, suspended his further remarks until the subject should come up again.

Many private bills were read a third time and passed. Adjourned.

Tuesday, Feb. 22. A great deal of preparatory business was attended to—the details of which will appear hereafter.

Mr. *White*, of N. York, from the committee appointed on the 23d December, "to inquire into the expediency of providing that dollars of the New American governments and five franc pieces, shall be a legal tender in the payment of all debts and demands: And also whether any additional regulations are necessary to the re-coinage of foreign silver coin at the mint" made a long and detailed

report, accompanied by a bill regulating the value of foreign silver coins within the United States. The bill and report were committed.

Mr. *White*, of New York, from the same committee, to which was referred the bill from the senate concerning the gold coins of the United States, also made a long and detailed report thereon, accompanied with an amendment to the said bill; which report and bill were also committed.

On motion of Mr. *Buchanan*, three thousand additional copies of these reports were directed to be printed for the use of the members of the house.

The *speaker* laid before the house a letter from the secretary of the treasury, transmitting copies of the instructions given on the 5th and 9th August, 1830, to collectors of the customs, under the 10th section of the act of the 19th May, 1828, [the new tariff act] and to the appraisers of New York, on the 30th June, 1830—read and laid on the table.

The *speaker* laid before the house a memorial of Geo. Davis, of N. Orleans, upon the subject of certain wrongs said to have been done him by the courts of the United States. Referred to the committee on the judiciary.

The *speaker* laid before the house a letter from the secretary of the navy, transmitting the papers called for by the house on the 18th instant, relating to the capture and detention of the negroes on board the slave ships Constitution, Louisa, and Mariano—laid on the table.

The engrossed bill respecting the navy pension fund, was read a third time and passed.

The engrossed bill "for the relief of certain importers of foreign merchandise," was read a third time, and put on its passage,

And being amended, on the motion of Mr. *Huntington*, was passed.

Several bills were ordered to be read a third time.

The house proceeded to the consideration of the bill authorising the president of the United States to select a site for the erection of an armory on the western waters.

After remarks on the bill by Messrs. *Chilton*, *Blair*, *Johnson*, of Ken. *Vance* and *Denny*, the previous question was called by Mr. *Standefer*, and the bill passed—79 to 70.

The house then took up the bill for the relief of certain insolvent debtors of the United States.

Mr. *Buchanan* supported the merits of the bill. Mr. *Williams* thought it would place too great a power in the hands of the treasury department. Messrs. *Johnson*, of Ken. *Wayne*, *Storrs*, of N. Y. and *Huntington*, supported the bill. Mr. *Semmes*, moved to limit the operation of the bill to three years, which was agreed to. Finally, it was ordered to be engrossed for a third reading. [It was passed next day—130 to 22.]

Wednesday, Feb. 23. Many matters were attended to which will appear hereafter. Among the reports was one for the relief of the representatives of David *Dardin*, owner of the horse Romulus, in the revolutionary war!

Mr. *Letcher*, from the committee on internal improvement, to which was referred the memorials from inhabitants of the states of Ohio, Kentucky, and Missouri, praying for an appropriation for such an improvement of the Ohio river as will render the same navigable at all seasons as high up as Pittsburg, for small steamboats, made a favorable report, which was read, and laid on the table.

Mr. *Foster* continued his remarks on the resolution to print 6,000 additional copies of the judiciary reports.

The house proceeded to the consideration of the bill from the senate, to authorise the secretary of the navy to make compensation to the heirs of Taliaferro Livingston, and Thomas W. Armstrong, for the maintenance of fifteen Africans illegally imported into the United States.

A long debate followed. Mr. *Whittlesey* opposed and Messrs. *Polk*, *Mercer*, and *McDuffie* supported it. It was passed.

Another long debate took place on the bill for the relief of the sureties of Amos Edwards. Messrs. *Sterrigere*, *Ellsworth* and *Bates* opposed, and Messrs. *Daniel*, *Letcher*, *Spencer* and *Wickliffe*, supported it. It was passed—72 to 46.

The engrossed bill from the senate, supplementary to an act for the relief of purchasers of public lands and for the suppression of fraudulent practices at the sale of public lands, was read the third time, and passed as amended by the house.

The engrossed bill for the erection of a national armory on the western waters, was read the third time; and being on its passage,

And after remarks from several gentlemen, was ordered to lie on the table—98 to 56, or rejected.

Mr. *Spencer*, of N. Y. moved to suspend the rule, for the purpose of enabling him to move to take up the bill respecting the silk culture, but the motion requiring two-thirds, was lost.

Several bills concerning the District of Columbia were attended to—but the bill to improve and pave Pennsylvania avenue, was called up, and on motion of Mr. *Wickliffe*, was laid on the table, without a word being uttered in its behalf.

The bill making appropriations for the public buildings, &c. was then taken up, and read item by item, and several heavy items were stricken out.

The proposed appropriation of 6,000 dollars, for furniture for the president's house, was stricken out; but restored in the sum of 5,000. It was ordered, as amended, to a third reading.

Thursday, Feb. 24. Several memorials were presented, and private bills reported.

Mr. *Cambreleng*; from the committee on commerce, to which was referred the bill from the senate to establish ports of delivery at port Ponchartrain and Delaware city, reported the same with an amendment, which being concurred in, the bill was ordered to a third reading to-morrow.

The engrossed bill to regulate the foreign and coasting trade in the northern and northwestern frontier;

The engrossed bill to amend the act to reduce into one the several acts establishing and regulating the post office department;

The engrossed bill to extend the limits of Georgetown in the District of Columbia;

Were severally read a third time, passed, and sent to the senate for concurrence.

The bill for carrying on certain roads and works of internal improvements, and providing for surveys was taken up. Mr. *Pettis* moved to amend the item for the improvement of the Ohio and Mississippi rivers, by inserting Missouri. The motion was lost. Mr. *Polk* moved to strike out the appropriation for surveys—this motion was lost by a vote of ayes 66, noes 109, and the bill was ordered to a third reading.

Mr. *Everett* reported a bill providing for a compilation of congressional documents, which being twice read, Mr. *Everett* moved that it be engrossed for a third reading. Mr. *Lea* moved to commit the bill, which motion was negatived. The bill was afterwards laid on the table by the casting vote of the speaker.

The engrossed bill to provide for the appointment of commissioners to prepare a code of laws for the District of Columbia, was read the third time, and the question on its passage was taken by yeas and nays, and being yeas 76, nays 96, the bill was REJECTED.

The engrossed bill making appropriations for the public buildings and other purposes connected with them, was read the third time, and, after some debate on some of the items, and an unsuccessful motion to recommit it, the bill was passed.

Mr. *Drayton* reported a bill making an appropriation for the repair of fort Delaware, and for ascertaining the legal title to the Pea Patch; which was twice read and made the order of the day for to-day.

Mr. *Pettis*, by leave, presented a memorial from the legislature of Missouri, asking the location and extension of the Cumberland road to the seat of government of that state; and also asking for the removal of obstructions to the navigation of the Missouri and Mississippi rivers.

Mr. *Pettis* also presented another memorial from the same legislature on the subject of certain Indian depredations; which memorials were laid on the table, Mr. P. stating that bills were already before the house, on which he intended to use these memorials.

END OF VOLUME XXXIX.